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LIBERALIZATION, THE ISLAMISTS, AND THE
STABILITY OF THE ARAB STATE: JORDAN
AS A CASE STUDY

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BOOK REVIEWS

Volume

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INTELLECTUAL ORIGINS OF ISLAMIC RESURGENCE IN THE MODERN ARAB WORLD



Ibrahim M. Abu-Rabi^c

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LIBERALIZATION, THE ISLAMISTS, AND THE STABILITY OF THE ARAB STATE: JORDAN AS A CASE STUDY

Introduction

On 8 November 1993 the first multi-party parliamentary elections were held in Jordan since 1957. The results seemed to indicate a significant defeat for the recently-formed Islamic Action Front (IAF), as the Islamists lost over one-third of the seats which they had held in the lower house following the 1989 elections. In the wake of the '93 elections, King Hussein could smile and tell reporters "I don't find anything in our Islam that stands in the way of peace or progress." Or, as one Jordanian analyst argued more bluntly: "[t]he issue in the election was the fundamentalists and the peace process. . . . The answer is, the fundamentalists lost."¹

The IAF peacefully accepted its declining electoral fortunes in 1993, much as King Hussein had at least publicly accepted the outcome of the 1989 elections, when the Muslim Brotherhood and its independent Islamist allies garnered nearly half of the positions in the eighty-seat lower house. In fact, the King's reaction to the results of the 1989 campaign was in many ways similar to his reaction to the results of a special by-election which was held in 1984 to fill eight vacant seats in the lower house. On that occasion, Islamist activists captured 3 out of 8 seats, including a stunning victory in Amman where the *Ikhwān* candidate won by a better than 2-to-1 margin. Although, in the wake of the 1984 election results, talk of "seeking a broader democratic process" was quietly dropped by the regime, the King allowed the results to stand.²

The elections discussed above can be seen as additional chapters in the long, symbiotic, if at times conflictual, relationship between the Hashemite regime and the Islamists in Jordan. In describing the nature of this relationship Yousif al-Azm, an Islamist leader in Jordan, states that "we are not supportive of any particular Arab regime, but we coexist

¹ The authors would like to thank the following individuals for their helpful comments and suggestions on earlier drafts of this paper: Byron Cannon, John Francis and Ibrahim Karawan. In addition, Hanna Freij would like to thank the Middle East Center at the University of Utah for providing funding for travel to Jordan through the Department of Education, Grant number PR/A Award PO15A10110-92. Thanks also to Catherine Scott-Freij for her editorial and technical help with the Appendices.

Youssef Ibrahim, "Jordanian Vote Endorses Peace Effort," *New York Times*, 10 November 1993, sec. A, p. 8.

² "Jordan," *Middle East Economic Digest*, Vol. 28, No. 3, (1984), pp. 20-1.

with the regimes because we are part of society and the nation. Our other alternative is to be among the radical opponents and take to the mountain. This is not possible."³ Furthermore, reflecting specifically on the *Ikhwān*'s relationship with the Jordanian regime in the 1950s, al-ʿAzm explains

[t]he Muslim Brotherhood did not rise against the King because it was not possible for us to open fronts with all the sides all at once.... We stood by the King in order to protect ourselves, for if it were left to ʿAbd al-Nāṣer to enter Jordan or establish a loyal regime in Jordan, he would have eliminated us as he did to the *Ikhwān* in Egypt.⁴

Al-ʿAzm's statements reflect a relationship that has been marked by ample doses of mutual need, combined with frequent suspicion. In this article, we seek to describe and analyze the state of Hashemite-Islamist relations, particularly as those relations have taken place within the recent era of political liberalization in Jordan. Specifically, we shall focus our attention on the two parliamentary elections that have occurred since 1989. Our goal is to discover and explain those strategies that have been employed by both sides, as well as the contextual conditions, which together helped to inform the Islamists' relative success (in 1989), and relative failure (in 1993), at the polls. In order to provide a conceptual grounding for our analysis, we begin with a brief discussion of several key concepts in the study of liberalization and democratization, embedding those concepts within the Jordanian context.

Conceptualizing Jordan's Political Opening

Since 1989, Jordan has experienced an opening in the country's political system. This straightforward, and widely accepted, observation requires further conceptual clarification. Specifically, we must examine the origins of this development, as well the precise nature of the political opening in Jordan. On the issue of the origins of Jordanian liberalization, we are essentially concerned here with what Karl and Schmitter refer to as "modes of transition" from authoritarian towards democratic rule.⁵ They argue persuasively that it is much more fruitful in a state such as Jordan to understand liberalization as a product of "strategic choices" made by "authoritarian incumbents" in response to "contingencies," than it is to focus

³ Zayd Abū-Amr, *al-Ḥarka al-Islāmiyah fī al-difa al-gharbiya wa Qīṭaʿ Gaza*, (Akka: Dār al-Aswār, 1989), p. 23.

⁴ *Ibid.*

⁵ Terry Lynn Karl and Phillippe Schmitter, "Modes of Transition in Latin America, Southern and Eastern Europe," *International Social Science Journal*, Vol. 43, (May 1991), pp. 269-84.

solely on political, social, and economic structures as the causal preconditions for democracy.⁶ While it is true that objective structural conditions will often set the stage upon which the process of democratization occurs, they cannot by themselves explain the particular path of democratization pursued in a given state, nor can they predict the eventual success or failure of the process in that state. In fact, Karl and Schmitter argue, the path pursued and its likelihood of success or failure depends greatly upon two factors: the actors involved, and the strategies they choose.⁷

Overall, Karl and Schmitter believe that transitions from above, guided by state elites who employ a mix of carrot-and-stick strategies, have the greatest chance for success. The most crucial strategy may be that of the "foundational pacts," which are defined as a series of "agreements between contending elites which define the rules of governance on the basis of mutual guarantees for the vital interests of those involved."⁸ There are several important components to these pacts: they are by design inclusive in scope and comprehensive in nature; they are linked with each other, with each pact tied inextricably to pacts which have preceded and those to come; their initial focus is upon issues of political process rather than upon issues of policy substance; and perhaps most importantly, they are designed ultimately to protect the predominant role of the regime in the state through co-optation of the regime's opponents.⁹

In fact, a regime's decision to engage in this process of liberalization is often guided by the goal of stabilizing political and economic systems that are in crisis. The ultimate goal is to bolster the regime's shrinking base of support, while also legitimizing its actions and future policy options regarding harsh economic reforms. Often, as in the case of Jordan, these draconian changes in economic policy are designed and instituted by international lending institutions.¹⁰ As Gudrun Kramer argues, at its core political liberalization is intended to marginalize, "and if possible delegitimize, all those who refuse to be co-opted into the system or are regarded as too great a threat to the regime to be recognized as legitimate political actors."¹¹

Arguing that the political opening in Jordan represents a case of "reform from above" leads us to inquire as to the precise nature of that opening. Specifically, it is crucial that we differentiate between democratization

⁶ *Ibid.*, pp. 270-1.

⁷ *Ibid.*, p. 274.

⁸ *Ibid.*, pp. 280-1.

⁹ *Ibid.*

¹⁰ Gudrun Kramer, "The Integration of the Integrist: a comparative study of Egypt, Jordan and Tunisia," in Ghassan Salame, (editor), *Democracy Without Democrats? The Renewal of Politics in the Muslim World*, (London & New York: I. B. Tauris Publishers, 1994), p. 202.

¹¹ *Ibid.*, emphasis added.

and liberalization. In addition, it is necessary to distinguish between political liberalization, on the one hand, and social and religious liberalization, on the other.

Both democratization and liberalization refer to processes, rather than to concrete regime-types. The major difference between the two processes lies in the primary objective which informs and guides each approach. Samuel Huntington argues that under democratization the ultimate goal of reformers is to create a system in which the government that came to power through non-democratic means, and for that matter all subsequent democratically-chosen governments, are subject to replacement through periodic, free, fair, and open elections. By contrast, the ultimate goal of liberalizing reformers is a "partial opening of an authoritarian system short of choosing governmental leaders through freely competitive elections."¹² Applying these definitions to Jordan, the Hashemite regime clearly is engaging in a process of liberalization, as opposed to a process of genuine democratization.

In fact, on the issue of political liberalization in Jordan, there is broad agreement between the regime and the Islamists. In an interesting discussion of this issue, Kramer makes a crucial distinction between political liberalization on the one hand, and social and religious liberalization on the other.¹³ Kramer's research reveals that, especially in the case of the moderate, urban-based Muslim Brotherhood, such as that which exists in Jordan, political liberalization—including such ideas as broadened political participation, heightened government accountability, and protection of human rights—is embraced by the Islamists.¹⁴

It is in the area of social and religious values that the Islamic activists in these organizations tend to espouse a much more fundamentalist ideology than do the secular advocates of liberalism.¹⁵ If this is the case, then we might expect in Jordan that the Muslim Brotherhood would focus its political agenda primarily on issues having to do with enforcing its own brand of conservative social and religious policy. It is their stand on these issues, along with their opposition to the peace process, which permits the Islamists to create for themselves a unique political space, distinct from both the ruling regime and from other political movements, within the context of the relaxed political setting. In fact, writing in 1993, 'Abdallah al-'Akailah, a Jordanian Islamist, put "revising numerous legislations and making them consistent with the Islamic law" at the top of his list of Is-

¹² Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, (Norman and London: University of Oklahoma Press, 1990), p. 9.

¹³ See Gudrun Kramer, "Islamist Notions of Democracy," *Middle East Report*, (July-August 1993), pp. 2-8.

¹⁴ *Ibid.*, p. 8.

¹⁵ *Ibid.*

lamist achievements during the first few years under the liberalized system.¹⁶

We also suggest that given the historical relationship between the Muslim Brotherhood and the Hashemite regime, their relationship in the age of political liberalization is characterized by what Zartman calls "role complementarity."¹⁷ That is to say the opposition and the regime act in a rational fashion by fulfilling distinct, yet mutually reinforcing roles, within the newly formulated political system. The mainstream opposition seeks its own interests, while also attempting to restrain those opposition members who are unwilling to play within the rules established by the pacts. For its part, the government pursues its objectives, while also reining in those regime hard-liners who are opposed to the liberalization process. Hence, the function of maintaining the stability of the state does not rest solely in the hands of the regime, but is shared with the opposition.

Having presented the proper conceptual background, it is now time to proceed with the empirical core of our analysis. Before undertaking our examination of the interaction between King Hussein and the Islamists during the period of liberalization, it is important to consider briefly the historical roots of this complicated relationship. Then, we shall examine the case of the 1989 election and the official establishment of the IAF as a political party. Finally, we shall take a close look at the 1993 parliamentary campaign. As a result of our comparative analyses of the 1989 and 1993 cases, we should be able to identify those factors which were most crucial in explaining the markedly different outcome of the two elections, within the broader context of Hashemite-Islamist relations.

The Historical Roots of Hashemite-Islamist Relations in Jordan

The *Ikhwān* became active in Palestine in 1935 when 'Abd al-Rahmān al-Banna, brother of Ḥasan al-Banna, visited with the *Mufti* of Jerusalem, Ḥajj Amīn al-Ḥusseini. During the 1936 revolt, the Brethren carried out propaganda activities on behalf of the Palestinian cause. After the limited *Ikhwān* participation in the 1948 War, their members who fought with the Egyptian Army went on to establish branches in the various cities and town of the West Bank which came under Jordanian control after

¹⁶ Abdallah al-Akailah, "The Experience of the Jordanian Islamic Movement," *Power-Sharing Islam?*, ed. Azzam Tamimi (London: Liberty for Muslim World Publications, 1993), p. 97.

¹⁷ I. William Zartman, "Opposition as Support of the State," in Giacomo Luciani, (editor), *The Arab State*, (Berkeley & Los Angeles, CA: University of California Press, 1990), pp. 220-46.

¹⁸ Zayd Abū-Amr, *Islamic Fundamentalism in the West Bank and Gaza: Muslim Brotherhood and Islamic Jihād*, (Bloomington and Indianapolis: Indiana University Press, 1994), pp. 1-3.

1949.¹⁸ Also, following the end of the 1948 war, branches were created in the East Bank cities.¹⁹

In Jordan, the Muslim Brotherhood has been allowed by King Hussein to operate in the open as a "charity association" since 1957. This has allowed the *Ikhwān* to organize and recruit openly in the mosques. Furthermore, as a charitable organization the Brotherhood was for a time able to receive funds from outside sources, such as Saudi Arabia and the Gulf states, and was permitted to construct its own hospitals and schools.

Politically, the Muslim Brotherhood used the mosques to attack the secular political parties as atheistic, and challenged Palestinian organizations for recruits, particularly after 1967. All this was carried out with the blessing of the regime, which nonetheless kept a close eye on the political and religious activities of the *Ikhwān*. The surveillance was carried out under the "Law on Sermons and Guidance in Mosques," by which the government controlled the sermons and instruction through written permission from the local *qāḍī*.²⁰

For their part, the *Ikhwān* did not then seek, nor have they ever sought, to directly seize power in Jordan. This policy has long reflected a rational calculation on the part of Islamist leaders that the political cost of attempting to govern affairs in Jordan would likely be quite high, due to Jordan's historically weak economy, and its poverty in natural resources.²¹ These problems would prevent the *Ikhwān* from achieving their ideal Islamic state. Such a view is reflected in 'Abdallah al-'Akailah's statement that "(t)he Islamic Movement of Jordan understands the position of the Jordanian State and knows that its resources are very limited . . . (and) realizes that Jordan lacks the essential requirements for the establishment of an Islamic state."²²

In addition, the peculiar institutional structure of the Jordanian Muslim Brotherhood has made any attempt to challenge the regime militarily highly problematic. Most important in terms of understanding *Ikhwān* relations with the Jordanian monarchy has been the absence historically of secret activist cells committed to undermining the regime. As Cohen argues in reference to the Brotherhood in Jordan through 1967, "[i]n this respect the Moslem Brothers in Jordan were a pale shadow of their far more aggressive and politically active counterparts in Egypt and elsewhere

¹⁹ Amnon Cohen, *Political Parties in the West Bank under Jordanian Rule, 1949-67* (Ithaca: Cornell University Press, 1982), pp. 144-5.

²⁰ Shual Mishal, *West Bank/East Bank: The Palestinians in Jordan, 1949-1967* (New Haven and London: Yale University Press, 1978), p. 39.

²¹ Iyād al-Bargouthi, "Al-Islām bayn al-Sulṭa wa al-Muā'raḍa fi al-Urdun," *Qaḍāyah Fikriya*, No. 5, p. 236.

²² Al-'Akailah, *op. cit.*, p. 98.

²³ Cohen, *op. cit.*, pp. 158-9.

in the Arab world."²³ There is no evidence that this situation has changed appreciably since 1967.

Finally, given their pan-Islānist identity, the Brethren have long been opposed to the establishment of a Palestinian state, thus endearing them to the regime. This was evident in their support for the regime against Sulaymān al-Nābulī and his nationalist supporters in 1957, and in their opposition to the Palestine Liberation Organization (PLO) factions in the "Black September" Civil War of 1970.²⁴

Despite this close and often mutually beneficial relationship between the monarchy and the *Ikhwān*, there have been periods of tension and conflict between King Hussein and Jordan's Islamists. Islamist-led anti-regime agitation has included two reported assassination plots (one in 1969, the other in 1993), both of which were hatched by radical elements within the Islamists movement. The first was organized by *Ḥizb al-Tahrīr* (The Liberation Party), and the second was planned by a group which came to be known as *Jaysh Muḥammad* (Muḥammad's Army).

Also, several waves of pro-Islānist civil disturbances have swept over the country. These occurred in 1960 and 1965 when the *Ikhwān* organized demonstrations against the regime's religious policy;²⁵ in 1979, in response to the Camp David Accords and in support of the newly-formed Islamic republic in Iran; in 1986, when violent protests broke out at Yarmouk University; and in 1989, when economic grievances quickly took on an Islamist tone during the extensive riots in April of that year. It is interesting to note that, in both 1986 and 1989, the regime initially targeted the Jordanian Communist Party (JCP) for blame as instigators of the disturbances, despite the fact that most evidence implicated certain Islamist elements in fomenting the trouble.²⁶

Over the years, King Hussein has developed a number of responses to offset the Muslim Brotherhood's standing in Jordan. These tactics have included alternating proclamations of personal religious piety with harsh

²⁴ In the early 1980's, the Brethren proved their usefulness as a foreign policy tool when *Ikhwān* fighters operating out of Jordan carried out numerous strikes against the despised Syrian regime of Ḥāfiẓ al-Asad. Although a shift in the swirling winds of Middle East regional politics led to a discontinuation of this policy in late 1985, and even to a temporary crackdown on the Brotherhood in Jordan, the King clearly appreciated the *Ikhwān*'s potential for external action in the internecine world of Arab foreign policy. By early 1986, the Hashemite regime quietly lessened its pressure on the Muslim Brotherhood in Jordan. See Robert Satloff, *Troubles on the East Bank*, (New York: Praeger, 1986), Ch. 2.

²⁵ Shaul Mishal, *op. cit.*, p. 96.

²⁶ "Communist Party Raided in Jordan," *New York Times*, 21 May 1986, sec. A, p. 13; Alan Cowell, "Unrest in Jordan Gains Islamic Tone," *New York Times*, 22 April 1989, sec. A, pp. 1, 6. However, in 1985 the regime cracked down on the Islamists by arresting close to three hundred members of the *Ikhwan*, and imposing restrictions on preachers. Valerie Yorke, *Domestic Politics and Regional Security, Jordan, Syria and Israel*, (Aldershot: Gower, 1988), p. 52.

public criticism of the Islamists in Jordan, tinkering with election laws in an attempt to undermine the Islamist bloc's chances at the polls, shuffling various elites in and out of the prime minister-ship depending upon whether the regime wants to placate or punish the Islamists, and offering key cabinet posts and other government positions to the Brotherhood and its allies on certain occasions in order to co-opt the Islamists into the government. Perhaps at no other time has this "carrot and stick" approach by the regime been more obvious than it was in the wake of the tumultuous events of 1989.

The Riots, Islam, and the 1989 Elections in Jordan

On 18 April 1989 several towns in southern Jordan were rocked by riots that erupted in response to government-mandated price increases on many commodities. It is clear that, at least initially, the protests were aimed against the price hikes which were part of an IMF-designed debt-reduction program.²⁷ Prices had been raised from 15 to 50 percent on such items as petrol, alcohol, cigarettes, and license fees. Anger over the price hikes was reflected in scenes such as the one of men holding up packs of cigarettes and shouting to a reporter, "This is expensive, the fuel, that is expensive!"²⁸ The disturbances, which started in the town of Maʿān and quickly spread to other villages, left twelve people dead and scores injured.²⁹ That the riots took place among East Bank Jordanians greatly alarmed the regime, given the fact that East Bankers were considered the primary pillar of support for the regime and its security apparatus.

Although the riots initially reflected public resentment born mainly of economic grievances, political complaints also fanned the flames of disenchantment. These political grievances focused on two key issues: anger over corruption in high places and frustration with the lack of political reform. The perception in the late 1980s that the government of Zayd al-Rifāʿi had not only permitted these problems to fester, but had in

²⁷ Charles Snow, "Jordanian Prime Minister Resigns," *Middle East Economic Survey*, Vol. 32, No. 30, (1989), sec. C, pp. 1-2. The combined impact of the collapse of oil prices, the outbreak and continuation of the Iran-Iraq war, and King Hussein's decision in 1988 to sever legal and administrative ties with the West Bank hit Jordan's economy especially hard, as crucial sources of capital, such as foreign aid and workers' remittances, dried up. By the end of 1988, Jordan had accumulated a huge debt of nearly \$8 billion. See Satloff, *op. cit.*, p. 20; Satloff, "Hussein Heeds Rioter's Message," *New York Times*, 5 May 1989, sec. A, p. 35; John Roberts, "Prospects for Democracy in Jordan," *Arab Studies Quarterly*, Vol. 13, No. 3 (1991), p. 120; and Alan Cowell, "High Living Jordan Tightens its Belt," *New York Times*, 7 November 1988, sec. A, p. 3.

²⁸ Alan Cowell, "Jordan's Revolt is Against Austerity," *New York Times*, 21 April 1989, sec. A, p. 6.

²⁹ "Jordan," *Middle East Economic Digest*, Vol. 33, No. 16, (1989), pp. 21-2; and Robert Satloff, "Jordan Looks Inward," *Current History*, Vol. 89, (1990), p. 57.

fact actively contributed to their prevalence, created a widespread feeling of distrust toward the government within Jordanian society. To give just one example, Rifā'i was, as Prime Minister, instrumental in increasing government repression regarding freedom of expression by closing down the Jordanian Writers' Association in 1987.

In this environment, the demonstrations took on a more overtly political and religious tone on 21 April when demonstrators streamed out of Friday prayer services proclaiming slogans such as "God is great" and "Death before oppression." Others were reported to have exclaimed, "Here we want Allah, not the government!"³⁰ The fact that the IMF plan was implemented during the holy month of Ramaḍān no doubt added fuel to the fire of the protests.

Interestingly, instead of taking the expected measure of putting the clamps on society in the wake of the protests, King Hussein went on national television and promised to "speed up the steps towards holding parliamentary elections to enhance the basis and execution of participation."³¹ On this issue, it is interesting to note Burhān Ghalyūn's argument that liberalization is an attempt by the authorities to re-establish the legitimacy of the modernization program as represented by the state.³² In Jordan, liberalization occurred on the heels of IMF calls for reforms which emphasized privatization of the economy.

The King's call for political reform was echoed by the IMF official in charge of the Jordanian economic reform program.³³ In fact, far from cracking down on the voices of dissent, the holding of elections in the fall of 1989 for the eighty-seat lower house "lifted the lid off the pot and allowed the country's political trends to surface."³⁴ Desperately in need of IMF assistance in a time of deep economic recession, the Hashemite regime sought to downplay the economic aspects of the unrest, and instead chose to interpret the protests as a plea for greater political participation among average Jordanians.

³⁰ *New York Times*, *op. cit.*, 22 April 1989.

³¹ "Hussein Goes on TV and Vows an Election," *New York Times*, 27 April 1989, sec. A, p. 3.

³² Burhān Ghalyūn, "Binā' al-Mujtama' al-Madani al-'Arabi: Dawr al-'Awāmil al-Dākhiliyya wa'l-Khārijyya," in *al-Mujtama' al-Madani fi al-Waṭan al-'Arabi wa Dawrulu fi Taḥqīq al-Dimūqrāṭiyya*, (Beirut: Center for Arab Unity Studies, 1992), p. 734.

³³ "Jordan," *Middle East Economic Digest*, Vol. 33, No. 21, (1989), p. 16.

³⁴ Lamis Andoni, "Lifting the Lid," and "The Major Trends in the Election," *Middle East International*, No. 362, (3 November 1989), pp. 8-10. Under Jordan's Constitution, the upper chamber of the parliament is mainly a symbolic body with a membership numbered at 40 and comprised almost exclusively of pro-regime elites. The lower house, on the other hand, enjoys the right to generate, pass, and reject laws, although the King still retains the prerogative to dissolve parliament, dismiss the government, declare martial law, and to rule by decree. See Peter David, "Democracy Road," *The Economist*, 12 May 1990, p. 20.

The decision to open up the political process seems at first glance to have been a huge gamble on the part of King Hussein, particularly considering the extraordinary amount of freedom given those running for office once the campaign got under way. Although the long-standing ban on political parties continued in effect, informal "trends," comprised of loose party alliances, were permitted. The major "trends" in the elections were the Islamists, the leftists (including communists, as well as candidates with ties to Palestinian groups such as the Democratic Front for the Liberation of Palestine (DFLP) and the Popular Front for the Liberation of Palestine (PFLP)—both of which had been instrumental in striving for the overthrow of the Hashemite regime in "Black September" 1970),³⁵ the Arab nationalists (including the pro-Syrian and pro-Iraqi wings Ba'athists), the liberals, and the traditionalists. No candidate was excluded from running on the basis of ideology.

In freely-contested elections held in November 1989, the Muslim Brotherhood captured 22 seats, while independent Islamists captured another 12 seats. The 34 seats garnered by the Islamists in the 1989 elections almost equalled the number won by the regime's loyalists—mostly Bedouins, rural tribal leaders, and former government officials. On the other hand, leftist and liberals won just 11 seats combined.³⁶ (See Appendix A). Thus, the results *could* be interpreted as indicating a groundswell of support for the Islamists.

In fact, a careful examination of the circumstances and strategies surrounding the 1989 election reveals that the Muslim Brotherhood enjoyed a number of advantages as the "first among equals" in the electoral contest.³⁷ These advantages were grounded in regional and domestic political factors, in particular the strain that existed in 1989 between the Hashemite regime and the Palestine Liberation Organization (PLO); in certain quirks in the election laws; in the organizational maturity of the Muslim Brotherhood, especially when compared with the other "trends" in the election; and, in both short and long-term domestic socio-economic factors. Taken together, these variables can be divided into two broad categories: regional factors; and domestic factors. Let us take a closer look at each of these categories.

³⁵ In the opinion of some Islamists, King Hussein's decision to open up the campaign to the leftist "radicals" represented an effort to offset what they saw as the growing support within the electorate for Islamist candidates. See *Middle East International*, *op. cit.*, (3 November 1989).

³⁶ Lamis Andoni, "King Hussein Leads Jordan into a New Era," *Middle East International*, No. 363, (17 November 1989), p. 3; and Ami Ayalon, ed., *Middle East Contemporary Survey*, Vol. 13, (1989), (Boulder: Westview Press, 1991), p. 476.

³⁷ Leonard C. Robinson, "Al-Dawla wa al-Islāmiyyun wa al-Infithāh al-Siyāsī fī al-Urdun," *Qira'āt Siyāsiyyah*, Vol. 4, No. 2, (Spring 1414-1994), pp. 33-60.

Regional Developments and the Election of 1989

One factor which favored the *Ikhwān* in 1989 was the decision by the PLO to stand aloof from the electoral process, even going so far as to ask the candidates not to use its name as a rallying slogan. The PLO had just patched up relations with the King, and the organization wanted to solidify the separation between the East Bank and the Occupied Territories which had come about as a result of Jordan's disassociation from the West Bank in 1988. In fact, by this time the PLO had declared an independent Palestinian State in the territories.

By not playing a significant role among the Palestinians in Jordan, the PLO was indirectly encouraging Jordanians of Palestinian descent to integrate into the political process of the East Bank, and to give more emphasis to their Jordanian identity, thus pushing aside Israeli claims that "Jordan is Palestine." The regime also made sure that no PLO members and supporters would run. Nimr Sirhān al-Tamīmī, head of the Committee for Palestinian Folklore, was denied running on the basis of holding a Jordanian passport effective for two years, which indicated his place of residence as the West Bank.³⁸

These self-interested political machinations on the part of the PLO and the Jordanian regime left an identity void for Palestinians in urban centers, as well as for those in refugee camps. In political terms, this void helped the Islamists, whose ideology and platform sought to bridge the gap between the competing identity claims within the Palestinian community in Jordan. By using Islam as a common identity, the Islamists were able to appeal to the Palestinian populace by calling for the liberation of all Palestine, thus opposing a two-state solution as advanced by the PLO.

This particular part of the Islamist platform had a great deal of appeal in the refugee camps, particularly after the 1988 disengagement of the Kingdom from the Occupied Territories. The salience of Islamic identity among refugee camp residents, and the appeal of the Jordanian Islamist's program, made it easier for Palestinians in the camps to identify themselves with the Muslim Brotherhood. Thus, the Islamist movement met the identity needs of many refugees, needs which in the past were met by Palestinian political factions within the PLO.³⁹ The Islamists had an enunciated program with regards to the Palestinian Question, in which they

³⁸ Lamis Andoni, "Jordan Mixed Signals," *Middle East International*, No. 361, (20 October 1989), p. 11.

³⁹ Dominic Abrams, "Processes of Social Identification," in Glynis M. Breakwell, (editor), *Social Psychology of Identity and The Self Concept*, (San Diego, CA: Academic Press Inc., 1992), p. 62. Thanks to Glenn Robinson at the Naval Postgraduate School in Monterey, CA, for bringing this identity issue to our attention.

clearly articulated their position that Palestine is eternally an Islamic land, and that therefore "it is forbidden to concede one" inch of it.⁴⁰ Under these conditions, the Islamist candidates did particularly well in the refugee camps, winning 9 of 11 seats.

The Domestic Setting, 1989

The electoral law of 1986 was supposed to have awarded an equal number of seats to the East and West Banks, in the process increasing the total number of seats from 71 to 142. With the disengagement in effect, this proposition was dropped, and the seats for the West Bank were abolished, as were the seats which had previously been allocated to refugee camps on the East Bank. The number of seats was in fact increased in the Lower House, but only from 71 to 80.⁴¹

The refugee camp seats were incorporated into larger constituencies,⁴² in order to reduce the impact of the exclusively Palestinian vote in the elections. Moreover, the regime allotted more seats for the rural and nomadic regions, while areas with high Palestinian concentration got less representation. In Maʿān, where the riots started, the regime allotted five seats to a city with a population of 28,000, while the second district of Amman, with a population of 73,000, was allotted just three seats.⁴³ These measures, which were intended to hurt *secular* anti-regime forces, while helping Hashemite supporters, clearly failed in their intent.

Another factor that benefited the Islamists stemmed from sections of the 1986 election law that remained in effect. Article 18e stipulated that persons belonging to illegal organizations were forbidden from running for public office.⁴⁴ Because at the time of the 1989 elections political parties were still considered to be "illegal organizations," such persons were forced to run as independents, thus robbing them of the organizational and financial benefits that come with being associated with a political

⁴⁰ "Islamic Movement Outlines Election Program," *al-Raʾy*, (25 October 1989), in *Foreign Broadcast Information Service, Near East and South Asia*, (Hereafter FBIS-NES), 89-207, (27 October 1989), p. 24.

⁴¹ For a discussion of the 1986 electoral law see Philip J. Robins, "Politics and the 1986 electoral law in Jordan," in Rodney Wilson, (editor), *Politics and the Economy in Jordan*, (London and New York: Routledge, 1991), pp. 184-207. Robins argues that the 1986 law was designed to favor the rural areas, where support for the Hashemite regime has traditionally been the strongest, and where voters have tended to cast their ballots based on tribal and family identity instead of on the basis of ideology.

⁴² *Middle East Economic Digest*, *op. cit.*, Vol. 33, No. 16, (1989), p. 22.

⁴³ Schirin H. Fathi, *The Palestinian Component in Jordan's 1989 Parliamentary Elections*, (Jerusalem: Palestinian Academic Society for the Study of International Affairs, 1990), p. 20.

⁴⁴ *The Middle East Contemporary Survey*, Vol. 13 (1989), *op. cit.*, p. 461.

party. The Muslim Brothers, on the other hand, as members of a "charity organization," were exempted from this prohibition.

In addition, the electoral law permitted voters to cast as many votes as there were seats in their districts. Under those conditions, a person was not forced to choose between supporting their traditional tribal or clan candidates on the one hand, and the well-organized, ideologically-oriented Islamist candidates on the other hand. Unfortunately for the regime (and fortunately for the Islamists), rather than presenting one agreed-upon tribal representative as a candidate for office in each district, numerous "traditional" candidates ran and split the vote among themselves, thus diluting the collective strength of conservative traditional social groups that had long been a crucial base of support for King Hussein.⁴⁵

The disorganized political arena of 1989 was flooded with 652 candidates, many of whom promised similar things, a situation which served mainly to confuse the voters.⁴⁶ Moreover, political parties had not operated openly in Jordan since 1956, and many candidates ran as "personalities." Compared to the Islamists, other "trends"—especially the leftists and Arab nationalists—were at a distinct disadvantage in terms of being able to carry out a well-organized campaign. In particular, many key leftist leaders, including Jordanian Communist Party (JCP) General Secretary Ya'qūb Zīādīn and Salīm Naḥās of the Jordanian People's Democratic Party (JPDP), were either in prison or hiding underground until just several weeks before election day. The leftists, the main ideological challengers to the Islamists, entered the crucial final weeks of the campaign quite disorganized, as a last minute effort to run as a unified bloc faltered.⁴⁷ The Brethren, by virtue of having a program, a certain level of cohesion as a result of their years of social organization, and an effective, if vague, slogan (i.e., "Islam is the solution"), were able to generate substantial support within the electorate for Islamist candidates.

In addition to regional and domestic political developments, one must also consider underlying socio-economic circumstances within Jordan in order to understand the election results of 1989. In the socio-economic milieu, in addition to the previously-noted hardship caused by the economic crisis of the late 1980s, dislocation and alienation brought about by broader social changes contributed to the good showing by the Islamist trend.⁴⁸ We speak here specifically of urbanization.

⁴⁵ Alan Cowell, "Militant Muslims Gain in Voting," *New York Times*, 10 November 1989, sec. A, p. 3.

⁴⁶ Kamel S. Abū Jaber and Schirin H. Fathi, "The 1989 Jordanian parliamentary elections," *Orient*, No. 31, (1990), p. 74.

⁴⁷ *Middle East International*, op. cit., (3 November 1989).

⁴⁸ Pamela Dougherty, "Jordanian Elections: The Rise of Fundamentalists," *Middle East Economic Digest*, Vol. 33, No. 46, (1989), p. 8.

Rapid urbanization is still occurring in Jordan today. In 1970, the urban/rural population breakdown split almost exactly down the middle, with 50 percent of the population living in cities and large towns, and 50 percent in the countryside and rural villages. By 1990, these statistics changed dramatically. Figures for that year show that 68.1 percent of the population now lived in urban areas, while just 31.9 percent lived in rural areas. At the same time, education of the young population has been occurring at an equally rapid pace.⁴⁹

These demographic trends, exacerbated by popular disgust with perceived government mismanagement and corruption, stimulated in the late 1980s in Jordan a tilt towards social conservatism, especially among the young and the working and lower-middle classes in the cities. The Islamists appealed to urban East Bankers by attacking the corruption and mismanagement of the economy, as well as by calling for an increase in freedom of expression and an end to repression by the security forces.⁵⁰ This was clearly stated in their platform, in which they argue that the heavy debt is a result of conspicuous consumption on the part of the wealthy elite. The *Ikhwān* outlined a plan to encourage investment, while at the same time reforming the public sector, in order not to create further dislocation and higher unemployment.⁵¹

The Islamists in Jordan reaped the benefits of the turn to the right, especially among the young and the poor. Given the disorganized nature of the liberal challenge to religious conservatism, it was to be expected that many middle class liberals opted to ignore the electoral process completely.⁵² In total, the factors which have been cited here combined to help produce an impressive showing for Islamist candidates at the polls in 1989.

King Hussein and the Results of the Election, 1989

Considering the factors noted above, it is not surprising that the Islamist trend performed well in the elections of 1989. Yet, despite this apparent move in Jordanian society in particular, and in the Arab world in general, towards the so-called "fundamentalist" camp, King Hussein seemed more proud over the success of his democratic experiment in the 1989 elections than he was frightened by the outcome.⁵³ Why was this the case?

⁴⁹ United Nations, *UN Statistical Yearbook*, (1988-89), (New York: UN, 1992), p. 78; and Roberts, *op. cit.*

⁵⁰ Philip Robins, "Jordan's Election: A New Era?" *MERIP*, Vol. 20, Nos. 3 & 4, (May-June/July-August 1990), p. 56.

⁵¹ *FBIS-NES*, 89-207, (27 October 1989), pp. 20-2.

⁵² *Middle East Economic Digest*, *op. cit.*, Vol. 33, No. 46.

⁵³ *Middle East International*, *op. cit.*, (17 November 1989).

There are several explanations for the King's mild reaction to the Islamists' "victory." To begin with, given the various advantages that were enjoyed by the Muslim Brotherhood *vis-à-vis* the other trends in the elections, the *Ikhwān* managed to garner less than one-third of the total seats available in the lower house of parliament, and only around two-thirds of all the votes cast for Islamist candidates. This would seem to indicate that the Brotherhood's appeal in late 1989 was still rather limited.

In addition, turnout was extremely low. In fact, only 40 percent of the eligible voters went to the polls.⁵⁴ These figures indicate that there was a large bloc of voters in Jordan who were searching for an alternative to the *Ikhwān* program. Given the fact that over a dozen loyalists—including former cabinet ministers, mayors, tribal chiefs, and ex-army officers—lost races for seats, along with the poor showing by the leftist and pan-Arabist groups with a long history of activism in Jordan, and the previously noted apathy for the elections among the urban middle class, the election results could be taken to indicate that the door remained open for the fledgling liberal trend to gain support in Jordan as the main alternative to the Islamist movement there.

The long—if often stormy—alliance between the King and the *Ikhwān* also lessened Hussein's alarm after the election. As Satloff argues, King Hussein's regime "possesses too much residual power to be overly frightened by a movement that owes its very existence over the past three decades to royal sufferance."⁵⁵ From the King's perspective, the Brotherhood's history of supporting his regime during difficult times means that it has earned the right to some slice of domestic political influence. As long as it is willing to work within the system and not against it, King Hussein is probably prepared to tolerate the *Ikhwān* as a domestic political actor.

This was certainly the case in 1989, when Islamist politicians made it clear to the King both before and after the election that they were willing to operate by the rules set down by the regime. Just before the election, in late October 1989, Layth Shubaylāt, a candidate from the *Dār al-Qur'ān* Islamic party, told the press, "I don't think anybody is interested in making a change in the regime."⁵⁶ Immediately after the election, Zīād Abū Ghannimeh, a spokesperson for the *Ikhwān*, said that while the Brotherhood would probably press for the banning of the production, sale, and distribution of alcohol in Jordan, it would not, for example, strive to pass a law mandating the veiling of women.⁵⁷ These statements, which as

⁵⁴ *Middle East Contemporary Survey*, Vol. 13 (1989), *op. cit.*, p. 463.

⁵⁵ Satloff, "Jordan Looks Inward," *op. cit.*, pp. 85-86.

⁵⁶ Alan Cowell, "Jordan Vote Stirs Fervor Where Fiat is the Rule," *New York Times*, 29 October 1989, sec. A, p. 10.

⁵⁷ *New York Times*, *op. cit.*, 10 November 1989. In fact, eventually on 28 February 1992 the lower house of the parliament voted to recommend that alcohol be banned, although the

shall be seen in the next section, are occasionally contradicted by more "radical" claims within the Jordanian Islamist movement, underscore the point that, as a potentially "moderate" voice for conservative social policy, the Muslim Brotherhood can and often does effectively act as a safety valve for other more radical tendencies which may exist among some Islamists in Jordan.

All these factors explain the King's rather placid demeanor in the wake of the electoral gains by the *Ikhwān*. This is not to say that he was not privately disappointed by the election results of November 1989. Instead of retreating from reform, however, King Hussein chose to continue to pursue "managed" political liberalization, with the dual goals of opening the political system to participation by moderates and leftists, while simultaneously carefully constraining the Islamist's role in that reformed system.

King Hussein, the Islamists, and the 1993 Vote

As noted above, the 1993 elections signalled a drop in support for the Islamists in terms of parliamentary seats. It is impossible to determine precisely to what extent the voters' rejection of the IAF was based mainly on dissatisfaction with the Front's political, economic, and social proposals, including its anti-peace rhetoric in the wake of the September 1993 agreement between Yāssir 'Arafāt and Yitzhāk Rabin. Obviously, the regime wanted to contain, and ideally to diminish, the IAF's power in parliament. It is equally clear that the parliamentary elections of 1993 took place within fundamentally altered circumstances from those which existed four years earlier.

Regional Developments and the 1993 Elections

Regionally, events surrounding the Second Gulf War underscored the strategic importance that both the regime and the Islamists have historically placed on maintaining cooperative relations with each other during crisis situations. During that particular crisis, King Hussein welcomed the participation of the Muslim Brotherhood in the government, awarding it with several key cabinet posts, including the much-coveted Education and Social Development ministries, both of which had been denied the Islamists in the initial aftermath of the 1989 elections.⁵⁸ The Muslim

resolution had no legal force. See George Hawatmeh, "Drink Problem," *Middle East International*, No. 420, (6 March 1992), pp. 13-14.

⁵⁸ "Jordan," in *Middle East Economic Digest*, Vol. 34, No. 51, (1990), p. 16; and John Esposito and J. Piscatori, "Democratization and Islam," *Middle East Journal*, Vol. 45, No. 3 (Summer 1991), pp. 434-437.

Brotherhood's membership in the cabinet in early 1991 was seen as a reassertion of the group's "role as a strategic ally of the regime."⁵⁹ This was precisely the impression that King Hussein wished to give. By incorporating the Islamists into the government, he effectively co-opted their leadership.

In return for the King's outspoken criticism of the American intervention in the region, and in gratitude for his acceptance of their expanded role in the government, the Islamists came to the defense of King Hussein in the wake of Iraq's 2 August 1990 invasion of Kuwait.⁶⁰ Even radical activists such as Shaykh Asa'd Bayūḍ al-Tamīmī of Islamic Jihād called for a moratorium on all fundamentalist attacks directed against the regime. In addition, the Brethren explicitly stated their unwavering support for King Hussein throughout the crisis.⁶¹

This strategic cooperation between the regime and the Islamists broke up the fledgling Unionist bloc in parliament, which had been formed in late 1990 as a coalition of Islamist and non-Islamist "anti-regime" forces. Layth Shubaylāt, a leading independent Islamist parliamentarian, condemned the Muslim Brotherhood on the floor of the parliament for placing its own desire for power above the Islamic bloc's political program.⁶² The willingness of the *Ikhwān* to serve in the government during this crisis period underscored once again the group's lack of revolutionary intent in Jordan, and reinforced its close, if often complex, relationship with the Hashemite regime.

The political dependence of the Islamists upon the regime was further highlighted as the Madrid Peace Conference approached in the fall of 1991. A crack down on an armed Islamic organization that was carried out by the regime in late August 1991 (two months prior to the opening of the Madrid Peace Conference) put the Islamists on the defensive.⁶³ Eventually, the Muslim Brotherhood pledged to tone down its strident criticism of the regime in exchange for a government pledge to allow nonviolent opposition to the peace talks.⁶⁴ This rather tepid attitude exhibited by

⁵⁹ Lamis Andoni, "Jordan: Pressures Mount," *Middle East International*, (11 January 1991), No. 391, p. 15.

⁶⁰ For more details on the King's public stance during the crisis, see Pamela Dougherty and Simon Edge, "Jordan Heads for the Rocks," *Middle East Economic Digest*, Vol. 34, No. 36, (1990), p. 4; and Edge "Holding the Fort," *Middle East Economic Digest*, Vol. 35, No. 7, (1991), p. 7.

⁶¹ *Middle East Economic Digest*, *op. cit.*, Vol. 35, No. 7.

⁶² Ami Ayalon, ed., *Middle East Contemporary Survey*, Vol. 14 (1990), (Boulder: Westview Press, 1992), p. 464.

⁶³ George Hawatmeh, "Jordan on Stream," *Middle East International*, No. 406, (16 August 1991), p. 10.

⁶⁴ George Hawatmeh, "A Change at the Top," *Middle East International*, No. 413, (22 November 1991), p. 8.

mainstream Islamists on the peace issue persisted in the aftermath of the PLO-Israel agreement of September, 1993, and in the wake of the 1993 Jordanian elections. Iṣḥāq al-Farḥān, a leading Islamist spokesperson, stated following the election that the IAF would oppose peace with Israel by utilizing "all political means *within the law*" (emphasis added).⁶⁵ Overall, events in the region during this period bode well for the Jordanian regime's twin goals of domestic stability at home, and peace abroad.

The Domestic Setting and the 1993 Elections

In addition to regional developments, certain domestic economic and political factors also had a significant affect on the 1993 vote. By 1993, Jordan was beginning to emerge from the deep recession of the late 1980s. This economic upturn robbed the Islamists of much of the support that they had drawn from those Jordanians whose opposition to the regime in 1989 had been grounded mainly in economic grievances.⁶⁶

On the political front, the regime took a number of crucial decisions in the years following the 1989 elections. In the immediate aftermath of the vote, King Hussein promised to pursue measures that would legalize all political parties, and to crack down on rampant corruption within the government.⁶⁷ Moreover, in late 1989 the new government, headed by Mudar Badrān, announced a sweeping new package of reforms and liberalization, including amnesty for political prisoners, the lifting of travel restrictions on certain individuals, the suspension of the 1953 anti-communist law, and an end to the government's control over leading newspapers.

This changing climate in Jordan also manifested itself in the regime's commitment to rein in the *mukhābarāt* (intelligence service), and in its decision to reinstate to their posts those government employees who had been fired because of their political leanings.⁶⁸ In response to the changes, one editor of a leading Jordanian newspaper said, "[t]he whole political climate is changing in Jordan in a positive way. It's what we have asked for: parliamentary elections, participation, a free press."⁶⁹

It was largely King Hussein's concern with reforming the electoral mechanism, along with the regime's interest in thwarting domestic opposition to the peace process, which inspired the King in late May of

⁶⁵ *New York Times*, *op. cit.*, 10 November 1993.

⁶⁶ *Ibid.*

⁶⁷ "Jordan," *Middle East Economic Digest*, Vol. 33, No. 48, (1989), p. 26.

⁶⁸ Jamil E. Jreisat and Hanna Y. Freij, "Jordan, the United States, and the Gulf Crisis," *Arab Studies Quarterly*, Vol. 13, No. 1 and 2, (1991), p. 107.

⁶⁹ "Jordan," *Middle East Economic Digest*, Vol. 33, No. 50, (1989), pp. 15-16.

1993 to replace Zayd bin Shāker as prime minister with a moderate friend of the regime, 'Abd al-Salām Majālī.⁷⁰ Eighteen months earlier, bin Shāker had replaced Ṭāhir al-Maṣrī, an anti-*khawān* liberal. Maṣrī in turn had replaced Mudar Badrān, a conservative who had included Islamists in his cabinet.

The King's appointment of 'Abd al-Salām Majālī, the chief Jordanian delegate to the peace process, as the new Prime Minister was intended to send a dual message. First, King Hussein wanted to indicate to the Clinton Administration his commitment to the peace process, and to assure the Clinton team that Jordan was still in the American camp. This analysis is supported by the fact that the government shuffle in Amman came directly on the heels of King Hussein's clear and highly publicized criticism of Saddām Hussein's ruthless desire to hold on to power.

Second, the change in governments "was designed to tell the Jordanians themselves that the government which would be overseeing the next general elections,... will not only continue to press the peace option but also make sure that those political forces who oppose negotiations with Israel will not gain the upper hand in the 12th parliament."⁷¹

The regime pursued long-term changes in the structure of the Jordanian political system as well. In January 1991 King Hussein announced that plans for the creation of a new National Political Charter would go forward even in the midst of the second Gulf crisis. On 9 June 1991 the National Charter was officially adopted by a special national congress made up of all elected officials.⁷² The Charter essentially involved a trade-off between the regime and political forces in society: the King recognized the right to a liberalized political system; in turn, all political parties pledged their allegiance to the regime.⁷³

One year later, the regime sponsored a compromise legislation which legalized political parties in Jordan, so long as those groups severed all ties with external forces.⁷⁴ The new law on political parties, following on

⁷⁰ George Hawatmeh, "The King's Message," *Middle East International*, No. 452, (11 June 1993), p. 8.

⁷¹ *Ibid.*

⁷² It is interesting to note in the case of the new political charter that it was drawn up by a Royal Commission comprised of sixty members who were carefully chosen by the King to include the various political trends in the country at that time. Essentially, the special congress' job was to "rubber stamp" the document, as it was designed by the regime.

⁷³ In fact, in an interview conducted by Hanna Freij with Laila Sharaf in Amman in January 1991, Mrs. Sharaf, a former minister and a member of the Jordanian Upper House who was involved in drafting the charter, noted that all the various political forces declared their support for the King. The Muslim Brotherhood members of the panel cooperated throughout the process, with one of their stated objectives being to assure the legitimacy of the monarchy as represented by the Hashemites. See also Lamis Andoni, "Legalizing the Monarchy," *Middle East International*, No. 402, (14 June 1991), p. 13.

the heels of the new National Charter, may be seen as examples of "foundational pacts." Taken together, these two legal documents signalled a compromise agreement among key state and non-state elites.

This is not to say, however, that these various leaders did not seek to use the new political situation to their advantage. From the state's perspective, by legalizing political parties, the King doubtlessly intended to create a playing field on which pro-regime political forces could contend with the Islamist movement on a more equal footing. In this manner, the regime probably hoped to at least partially undermine the organizational advantage that the Islamists had enjoyed in 1989.

For their part, the Islamists took advantage of the new political rules by forming a coalition bloc, which they named the Islamist Action Front. The IAF was formed as a political party in late 1992 in the wake of the trial of two "militant" Islamist parliamentary deputies, Layth Shubaylāt and Ya'qūb Qarrush, both of whom have often been highly critical of the Muslim Brotherhood's loyal support for King Hussein. The two deputies were found guilty in a government court of sedition and sentenced to death in the fall of 1992.⁷⁵ Two days later, King Hussein included Shubaylāt and Qarrush in a general amnesty that was applied to over 1,000 prisoners. The King had made his point forcefully: cross the regime, and you will face its full fury.⁷⁶ For their part, the independent Islamists, chagrined in the wake of the Shubaylāt and Qarrush trials, chose to throw in with the *Akhwān*, and agreed to form the IAF.⁷⁷

According to Ishāq al-Farḥān, the Secretary General of the IAF, the formation of the Islamist coalition is viewed within the movement as an ideological and political imperative for an Arab-Islamic Renaissance. He lists three key factors which informed the creation of the IAF. First, the collapse of the Soviet Union with its communist ideology; second, the emergence of the New World Order with the US as the sole arbiter; and third, the increased awareness of Islamism among the Muslim and Arab countries.⁷⁸ On this final point, it is clear that Jordanian Islamists in 1992 had in mind the success that the FIS had achieved in the local elections in Algeria in 1990. The IAF perceived itself as offering a serious alternative

⁷⁴ George Hawatmeh, "Now for Liberalization," *Middle East International*, No. 431, (7 August 1992), pp. 11-12.

⁷⁵ George Hawatmeh, "Now Not the Moment for Change," *Middle East International*, No. 436, (23 October 1992), pp. 6-7.

⁷⁶ Recall that Shubaylāt had claimed just prior to the 1989 elections that no one "is interested in making a change in the regime." See *New York Times*, *op. cit.*, 29 October 1989.

⁷⁷ George Hawatmeh, "A Boost for the Islamists," *Middle East International*, No. 441, (8 January 1993), p. 9.

⁷⁸ Ishāq A. al-Farḥān, *Ḥizb Jabhat al-ʿamal al-islāmī: al-Muḥarirāt wa al-Thawābit wa al-Mashrūʿāt*, (Amman: Matbaʿat Ḥitūn, 1994), p. 2.

in the New World Order, especially in light of the collapse of leftist and nationalist ideologies, both regionally and globally.

The broad platform espoused by the IAF in 1993 was straightforward, and generally reflected the aims of its dominant organizational component, the Muslim Brotherhood: the application of the *Shari'a*, in a gradual, peaceful fashion which permits dialogue with other political forces in Jordan. In terms of regional politics, al-Farḥān recognizes that the Palestinian problem is largely for the Palestinian people to solve. However, he also takes the classic Islamist position, arguing that the Palestinian problem is both an Arab and a *central Islamic responsibility* as well, thus the liberation of Palestine is a Jordanian, Arab, and Islamic Jihād requirement as well.⁷⁹

Perhaps most importantly, the IAF stressed in its 1993 program that it believes in the peaceful transition of power, an aim which entails leading the masses without dictating to them, along with conducting the affairs of the party in an open and democratic fashion. Moreover, Front leaders recognize that the crystallization of the Islamist program into an effective modern ideology will take time, and will likely require cooperation with other parties. This cooperation between the IAF and other nationalist parties needs to be grounded in common identity, and the common challenges that all Jordanian political parties might expect to face, domestically and internationally. Finally, the IAF would measure its success according to the extent that it would be able to instill a spirit of *shūra* and democratic practices among the populace, and take Jordanian politics beyond personalities and sloganeering.⁸⁰ When asked if the IAF is interested in taking over power by itself, 'Abdul Laṭīf 'Arabiyāt, the former Speaker of the Parliament, stressed that "the IAF does not plan, nor intend or seek, to deny any other political group from sharing in governing, the mission of the IAF is reformist, sharing with all other political parties to share in building national unity."⁸¹

These statements by al-Farḥān and 'Arabiyāt, along with those of the General Guide of the Muslim Brotherhood, 'Abdul-Majeed Thneibāt, who echoes a view similar to that of al-Farḥān,⁸² are reflective of the moderate strain of thought within the IAF. On the other hand, Rāi'f Najm, the Deputy to the General Secretary of the IAF, claims that the Front will work to introduce severe Islamic laws. In addition, he states that the primary strategic objective for the IAF is to liberate all of Palestine, and

⁷⁹ *Ibid.*, pp. 3-11.

⁸⁰ *Ibid.*, pp. 15-17.

⁸¹ Interview with Hanna Freij, Amman, June 1993.

⁸² *Al-Dustūr*, 22 August 1994, p. 12.

that the dispute with Israel is not one over borders, but rather is a struggle for survival.⁸³

These apparent contradictions within the IAF leadership prompt many to doubt the Front's declarations that its program is moderate and gradualistic. In an interview, the editor of the *Jordan Times* wondered aloud why, if the IAF leaders were truly gradualists, did they immediately upon joining the Badrān government initiate legislation to segregate men and women, and moreover attempt to pass a law that would prohibit the manufacture and sale of alcohol in Jordan? He added that, in his opinion, even within the context of a governing coalition, the Islamists will work to force religiously inspired laws on the public until they have transformed Jordan into an Islamic state.⁸⁴

In these statements we see empirical evidence of the fundamental tension, which we discussed conceptually in the first part of this paper, between Islamist and secular activists over social and religious issues. Although the view which was noted in the previous paragraph perhaps exaggerates the capabilities and influence of the IAF, it is genuinely reflective of the suspicion with which secularists view the Islamists in Jordan. Moreover, it is an indirect acknowledgment of the relative weakness of the other political parties and trends *vis-à-vis* the Islamists.

When asked in 1992 about the prospects for cooperation between the nationalist and the Islamist movements, a prominent secularist member of parliament noted that this cooperation can occur up to a point, but that the IAF's desire to impose Islamic law in reality leaves little room for maneuver or dialogue. In the end, this politician added, were the IAF to come to power, it might very well conduct itself in a fashion similar to the Islamists in Iran.⁸⁵ Such a prospect is not only unacceptable to the secularists, it is of course also unacceptable to the King. Thus, the regime moved to curtail the influence of the Islamists in the months prior to the 1993 elections.

In early 1993, King Hussein reiterated the regime's intention to hold an election in 1993, although he would later postpone the vote to 8 November 1993, ostensibly in order to give "political parties more time to organize and campaign."⁸⁶ In fact, the phrase "political parties" probably referred to the non-Islamist parties, which were lagging in their attempts at matching the organizational prowess of the *Ikhwān*.

⁸³ *Al-Hayāt*, 14 August 1993.

⁸⁴ Interview with Hanna Freij in Amman in June of 1993.

⁸⁵ Interview with Hanna Freij in Amman, June of 1993. The member of parliament asked that his name not be mentioned on this point.

⁸⁶ George Hawatmeh, "Leaving the Door Open," *Middle East International*, No. 443, (5 February 1993), pp. 8-9.

In addition, the regime wanted to postpone the holding of elections in order to allow those Jordanian 'returnees' from the Gulf region to register and vote. The close to 300,000 Jordanians who lost a comfortable lifestyle as a result of the Iraqi invasion of Kuwait in 1990 were not likely to vote for pro-Saddām forces such as the Islamists or Arab Nationalists. Moreover, these returnees were interested in economic prosperity and western lifestyles such as they had experienced in Kuwait, and thus were very likely to vote for moderates who favor the peace process and economic liberalization.⁸⁷

Yet in spite of the government's desire to register as many voters as possible in order to offset the influence of the highly organized IAF, the regime's bureaucratic structure put obstacles in the face of such efforts. Prior to the 1993 vote, one former government official cited a list of complaints regarding government rules and procedures. Among other things, he complained that the government prevented the candidates from helping to register eligible voters; that the registration period itself was very limited; and that the voter must double-check to make sure that his or her name appears in the voter's roll when it is issued by the coordinating committees.⁸⁸

In general, prior to the 1993 elections the Jordanian regime faced a dilemma on the issue of voter participation. On the one hand, it wanted to encourage turnout, particularly in those parts of Jordan where Islamist support was weakest, in order to help the traditional candidates.⁸⁹ On the other hand, the regime could not be certain that increased registration would not help the IAF, which as the most organized political group, was likely to do a better job of mobilizing its potential supporters than would the less-institutionalized parties.

Thus, by postponing the elections, King Hussein allowed for more time to reform the election laws, a move that was designed to dilute support for the Islamist coalition in Jordan. The King believed that support for the Islamists was artificially inflated in the 1989 elections by the use of the "parliamentary blocs" system of electing candidates. Under that system, a person could cast as many votes as there were seats in his or her district.

The new law, which was implemented by the regime on 4 August, 1993, was designed specifically to rectify this "flaw" in the process.⁹⁰ Under the new "one person, one vote" system, a citizen was allowed to

⁸⁷ Rana Sabbagh, "Gulf war 'returnees' to be factor in Jordan ballot," *Jordan Times*, 9 June 1993.

⁸⁸ *Al-Hayāt*, 5 August 1993, p. 18.

⁸⁹ Ayman al-Safadi, "Expected high voter turnout in elections seen to help non-Islamists," *Jordan Times*, (May 23, 1993).

⁹⁰ George Hawatmeh, "Curbing the Islamists," *Middle East International*, No. 457, (28 August 1993), pp. 11-12.

cast a single vote. Thus, unlike in 1989, Jordanians were forced in 1993 to choose between their more traditional tribal and family-based political identities on the one hand, and their ideological proclivities on the other hand. As the '93 elections approached, the regime utilized other tactics as well in an effort to undermine the Islamists' electoral chances. Parliamentary seats were clustered in districts which had traditionally been bastions of pro-regime sentiment. For example, the sparsely-populated Tafillesh district in the tribal south, with 25,222 registered voters, was awarded three seats, the same number as Amman's teeming Palestinian-dominated second district, which included nearly 115,000 registered voters.⁹¹ In addition, a number of pro-Islāmist government employees were quietly transferred out of key electoral districts, where their activism might have stirred-up trouble for the regime.

As for the Islamists, the IAF attempted to challenge the regime on changes to the election law that would introduce a one-person-one vote system. IAF leaders argued that "any amendment to the Election Law should go through the legislative organizations in order to protect national unity."⁹² Furthermore, they argued that if the law is to be changed to rectify certain flaws, then one such change should be in the distribution of representatives among the electoral districts, in order to accurately reflect population density. The Speaker of the Parliament at the time, 'Abdul Laṭīf 'Arabiyāt, spoke of the power of the legislative body, and argued that the government could not alter the law without the agreement of the deputies. However, 'Arabiyāt made sure not to directly challenge the authority of King Hussein, lest the monarch dismiss parliament.⁹³

Eventually, the IAF proved to be pliant in the face of the regime's demands. After threatening to boycott the election in response to the regime's handling of the election law, the IAF's leadership decided to participate in the elections after all.⁹⁴ The Director General of the IAF Council, 'Abdul-Majeed Thneibāt, stated that the IAF, "despite... opposition to the temporary law, cannot but be in the lead amongst those participating and working for change towards more *shūrā*, freedom and democracy."⁹⁵

The election and its aftermath saw a significant split develop between the moderate Muslim Brotherhood, and the more militant independent

⁹¹ "Tribal Heartbeat," *The Economist*, 6 November 1993, p. 50.

⁹² Ayman al-Safadi, "Officials deny discussing changes to Election Law," *Jordan Times*, 9 June 1993. Hanī al-Hourānī, "Ṣawt Wāḥed Lil-Muwāṭin Wāḥed"... Qaḍīyah Khalfīyah bayin al-Qiwa al-Siyāsīyah," *al-Hayāt*, (7 August 1993).

⁹³ "Hawājīs Intikabīyah Urdunīyah wa Ḥiwār ma' Ra'īs al-Majlis al-Niyābī 'Abdul Laṭīf 'Arabiyāt," *al-Ousbou al-'Arabi*, No. 1757, (14 June 1993), pp. 18-19.

⁹⁴ *Middle East International*, *op. cit.*, (28 August 1993); and George Hawatmeh, "Why Hussein Said Yes," *Middle East International*, No. 458, (10 September 1993), p. 10.

⁹⁵ Reuters, BC Cycle, 26 August 1993.

elements within the IAF. First, a serious rift developed when prominent independent Islamists bitterly opposed the decision to participate in the campaign under the new election laws.⁹⁶ In addition, an agreement between the independent Islamists and the *Ikhwān* on the distribution of seats within the IAF's *Majlis al-Shūra* broke down when the independents were awarded a mere 15 percent of the seats, rather than the one-third that they had been promised. The independent Islamists stormed out, complaining that the Front had become nothing more than another name for the *Ikhwān*.⁹⁷

The outcome of the controversy surrounding the election law points not only to the refusal by the *Ikhwān* to challenge King Hussein on fundamental political issues, but also to the ease with which schisms can develop within the ranks of the Islamists. The most prominent rift is between the "radical" *Salafiyyin* (those who want to apply Islamic law in literal terms) on the one hand, and the "moderate" so-called "Turabis," (those who look at Islam as a model rather than as a rigid dogma of political action), on the other hand. The King is well aware of this division within the Islamists' ranks, and he exploits it whenever he deems it necessary. For example, in the aftermath of the Shubaylāt and Qarrush trials, King Hussein bitterly denounced the radical Islamists for their being "proponents of backwardness and oppression," while also rewarding the *Ikhwān* with an expanded number of diplomatic and policy-making positions within the government.⁹⁸ Similarly, during his speech announcing the amendment to the election law, the King addressed the Islamists directly, urging them to fulfill their religious duty through "genuine Islam" and "by having a progressive, not backward, view of Islam."⁹⁹

In this fragmented and uncertain political environment, in which 20 mostly weakly-organized and poorly-defined "parties" participated in the election, many Jordanians apparently fell back upon their traditional roots to guide their voting behavior. In fact, a study conducted by the Centre for Strategic Studies (CSS) in Jordan prior to the 1993 election showed that only a meager 1.4 percent of respondents to the survey indicated that they were affiliated with a political party, and a mere 6.3 percent were inclined to join a political party. What is more striking is that 83.5 percent indicated a lack of desire to join political parties.¹⁰⁰ Clearly, the political

⁹⁶ "Jordan," *Middle East Economic Digest*, Vol. 37, No. 36, (1993), p. 17.

⁹⁷ *Al-Hayāt*, 14 August 1993.

⁹⁸ Mariam Shahin, "The King Lashes Out," *Middle East International*, No. 439, (4 December 1992), pp. 3-4.

⁹⁹ *FBIS-NEWS*, 18 August 1993, p. 25.

¹⁰⁰ Center for Strategic Studies, "A Public Opinion Survey on Democracy in Jordan: Preliminary Findings," (University of Jordan, March 1993), p. 19.

parties failed to attract recruits or to generate serious debate among the populace.¹⁰¹

This lack of desire on the part of a significant part of the population to join a political party resulted from a number of factors. First, there was the belief that participation in a political party might bring undesirable developments to the participants, such as hurting one's career, restriction on travel, and other harassment by the authorities.¹⁰² Such perceptions remained strong in spite of the legalization of parties.

A second factor is that the parties had not presented themselves as a national necessity, and as agents of modernization and change. In addition, most political parties lacked clear and distinct programs. To make matters worse, most were largely bereft of truly charismatic, popular candidates.¹⁰³

For the secular liberals and Pan-Arabists, there were other reasons as well which contributed to their overall failure at the polls. First, there was the inability of the leftist forces to get their message to the people in the villages and small towns, along with their failure to transform their economic, political, and social agendas into meaningful issues for the majority of the public. Contributing to these problems was the failure of the liberals and Pan-Arabists to coordinate their activities, a strategy which would likely have produced a viable and coherent alternative to the Islamists' message. Thus, these forces were able to mobilize only a small turn out amongst the educated classes which traditionally form the backbone of support for secular parties. At the same time, the traditional segment of society voted in larger number for their tribal candidates.¹⁰⁴

Finally, the CSS study indicated that the respondents illustrated a "rather limited" awareness of their civil and political rights.¹⁰⁵ Such limited awareness predisposed the voters to cast their ballot in primordial fashion to candidates who appealed to them on a very basic level, i.e., their primary identity community. This factor, combined with the limited ability on the part of the organized parties to mobilize a significant constituency of support, favored the traditionally pro-regime tribal, clan, and village leaders in the 1993 electoral contest. More broadly, the totality of regional and domestic factors discussed above served to undercut the Islamists' standing with the voters on election day, 1993.

¹⁰¹ Hanī al-Ḥurānī, "Kharitat al-Aḥzāb al-Urdunīya," *Al-Sharq al-Awsat*, No. 5385, (26 August 1993), p. 8.

¹⁰² Interview by Hanna Freij with Yāssir al-Zā'atreh, editor of *Filistīniyya al-Muslem*, Amman, June of 1993.

¹⁰³ Hanī al-Ḥurānī, *op. cit.*

¹⁰⁴ *Al-Ufuq*, No. 79, (17 November 1993), p. 25.

¹⁰⁵ CSS Study, *op. cit.*, p. 3.

Conclusion

Given the evidence cited in this paper it would seem that Jordan's Islamists have historically failed to pose a serious threat to the regime of King Hussein. Time and again, the King has proven himself to be a masterful politician, able to deftly juggle the carrot and the stick, while seeming to possess an uncanny knack for knowing which to utilize at any given moment, given the internal and external forces with which he must deal.¹⁰⁶ If the past is any indicator, the regime and the Muslim Brotherhood will probably continue to coexist in a mutually beneficial relationship, with the *Ikhwān* serving as a vent for frustrations in Jordanian society, and the regime serving to perpetuate and legitimize the Brotherhood's special role in the political life of Jordan.

As for the mainstream Islamists in Jordan, they have shown themselves to be committed to the process of political liberalization. The lengthy alliance between the Hashemite regime and the Muslim Brotherhood strongly mitigates against a concerted effort by mainstream Islamists to undermine or overthrow the King, as does the fact that the organization continues to be dominated by East Bank Jordanians, most of whom are loyal backers of the regime.¹⁰⁷ 'Abdallah al-Akaileh, the deputy to the General Secretary to the IAF, stresses that there is mutual respect between the regime and the Brotherhood, and that each party understands the role played by the other in Jordan.¹⁰⁸ This argument is supported by the previously-cited statement, in which an IAF official vowed to carry out opposition to the peace process "within the law."

The Islamists have long straddled the tight rope of accommodation and opposition to the regime.¹⁰⁹ They are aware of their strengths and their weaknesses. In assessing the election result in which the IAF expected to win between 20-25 seats, but ended up with only 16, (see Appendix C for the distribution of party affiliation in the 1993 parliament), Ishāq al-Farḥān claimed that, given the overall number of votes that the IAF received at the polls, the Islamists would have won twice as many

¹⁰⁶ There are two main external actors presently attempting to shape the regime's program of political and economic liberalization. The first of these, which was mentioned earlier in the paper, is the International Monetary Fund. The second is the Clinton Administration in Washington which, while pushing for liberalization, is fearful that the Islamists will use democratic means as a way of achieving their "non-democratic" ends—i.e., the creation of an Iranian-style fundamentalist state in Jordan. For more on Bill Clinton's policy on Jordan, see George Hawatmeh, "What Hussein Wants," *Middle East International*, No. 451, (28 May 1993), pp. 7-8.

¹⁰⁷ *Middle East International*, *op. cit.*, (8 January, 1993).

¹⁰⁸ *Filistīne al-Muslema*, No. 3, (March 1993), p. 83.

¹⁰⁹ For a detailed historical analysis of the Islamists in Jordan, see Cohen, *op. cit.*, pp. 114-230.

seats had the 1989 election laws remained in effect. In fact, the amount of votes garnered by Islamist candidates in 1993 grew by 3 percent over the figures for the 1989 election.¹¹⁰ Interestingly, in Amman's second district, and in al-Zarqā, both of which boast large concentrations of Palestinians, and in both of which the government reduced the number of seats by six, IAF candidates won by very large margins relative to the Fatah, pro-peace candidates.¹¹¹ (See appendix B for a table showing the distribution of seats by electoral districts).

Al-Farḥān argued that government tampering in the electoral process was intended to contain the IAF, but that the election results showed that the Islamists remained a power to be reckoned with. However, al-Farḥān conceded that the Front contributed to its own poor showing as well. The fact that, in some districts, IAF candidates ran against each other illustrates the internal divisions within the party itself.¹¹²

Although the IAF remains the most broadly-based of the political parties, due to the potent religious symbols which they manipulate, their weakness rests on two fronts. First, if the Palestinian population in Jordan accepts the recent political settlement, this could draw away from the strength of the Islamists. In fact, some analysts have argued that this is precisely what happened in the 1993 elections, when Palestinians in Jordan "seemed by and large to vote in favor of candidates who supported the government peace strategy."¹¹³ This factor could become even more problematic for the Islamists in the future, should the Palestinian based political parties become capable of generating political support for themselves.

On the other hand, this assessment that Palestinians voted for the government's peace strategy should not be viewed without some caution. The Palestinians who voted for the government peace options were primarily those who had returned from the Gulf region and were, due to their experiences there, opposed to the secular Arab nationalist ideologies of the Ba'ṯh, and to the Islamist ideology of the IAF.

The second weakness that could draw strength away from the Islamists would be a scenario in which the traditional or centrist tide gains in support, particularly if the East Bank Jordanians perceive that their special place in Jordanian society is threatened by the growing Palestinian population. The centrist parties could rally support to their cause by appealing to the local Jordanian identity community, and to tribal and *ḥamūla*

¹¹⁰ Najeeb al-Ghadbān, "Al-Tajriba al-Dimoqrāṭīyah al-Urduniyah: Naẓra Taḥlīliyah," *Qira'at Siyāsiyyah*, Vol. 4, No. 2, (Spring 1414-1994), p. 65.

¹¹¹ *Filistīne al-Muslema*, Vol. 11, No. 12, (December 1993), p. 31, *al-Ufuq*, No. 79, (17 November, 1993), p. 23.

¹¹² *Filistīne al-Muslema*, *op. cit.*, (December 1993), pp. 30-31.

¹¹³ *New York Times*, *op. cit.*, 10 November 1993.

(extended family) allegiances, in order to gain votes. Again, this may at least partially explain the outcome of the 1993 vote. In the words of one Jordanian official:

Traditionally the first priority of any voter goes to the family, tribe, fellow-townsfolk and the like; the second vote goes to the political program, party and so-forth," explained a minister in the current government. "The first vote in the upcoming elections will be the only vote," he added, referring to the one vote allocated to each voter.¹¹⁴

It is true that tribalism in Jordan is on the decline due to economic and educational changes that have taken place in Jordan, as well as the mobility of the younger, more educated generation of tribespersons. However, it needs to be noted that "[t]his is not to say that tribal loyalties are a thing of the past, but that tribal linkages can no longer lay exclusive claim on tribe members' allegiance."¹¹⁵ Tribal identity has not disappeared; in fact, individuals have a number of identity communities which they can affiliate with, with differing degrees of saliency for each identity. The elections results of 1993 to a large extent reflect the continued dominance of tribal identity, even though tribal groups did experience differences of opinion over particular candidates.

Only time will tell whether the other political trends in Jordan will be able to create the type of durable institutional parties which could act as a long-term counterweight to the influence of the Islamists, a development which, rightly or wrongly, seems to be a major goal of the Hashemite regime. One small victory was scored by anti-Islāmist forces in 1993 with the election of the first women deputy in the history of Jordan. Toojan al-Fayṣal captured a seat in the face of virulent opposition from radical Islamists, who called for the annulment of her marriage, and for immunity from prosecution for anyone who sheds her blood.¹¹⁶ It remains to be seen the extent to which her win is an indicator of growing support for the liberals.

At this juncture, still fairly early in the liberalization era, it would appear that the main political challenge to the Islamists from within Jordanian society comes from the traditional tribal and clan elites. The future of the Western-style political parties is as yet an unresolved issue. Given these circumstances, the greatest obstacle facing the Hashemite regime in the future should come not from radical fundamentalism, but in-

¹¹⁴ Mariam Shahin, "One Person-One Vote System Analyzed," *Jordan Times*, 21 August 1993, in *FBIS-NES*, 25 August 1993, p. 33.

¹¹⁵ Paul Jureindini and RD McLaurin, *Jordan: The Impact of Social Change on the Role of the Tribes* (Washington, DC: Center for Strategic and International Studies, 1984), p. 40.

¹¹⁶ *New York Times*, *op. cit.*, 10 November 1993, p. 8.

stead from the need to adequately institutionalize the liberalization process so that both the regime and that process may carry on after King Hussein is gone.

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APPENDIX A

Political Currents in the 1989 Parliament		Seats
Members of the Islamic Brotherhood		22
Independent Islamists		12
Nationalists Deputies (Pan-Arab)		7
Leftist Deputies (Liberals)		4
Traditionalists and Conservative Deputies		35
Total		80
Source: <i>Middle East International</i> , November 17, 1989 and FBIS-NES (89-217) 13 November 1989, pp. 31-34.		

APPENDIX B

*The Number of Seats for Electoral Districts
Actual and Relative to Population Density in Each District*

Electoral Districts	Population in thousands	Number of Seats		Difference
		Actual	Required	
Amman 1	280	3	5.4	-2.4
Amman 2	490	3	9.4	-6.4
Amman 3	305	5	5.8	-0.8
Amman 4	170	2	3.3	1.3
Amman 5	230	5	4.4	+0.6
Amman 6	125	3	3.4	-0.4
Al-Bahqan	260	8	5	+3
Al-Karak	175	9	3.4	+5.6
Al-Tafilah	67	3	1.3	+1.7
Ma'an	95	5	1.8	+3.2
Al-Zarqā	650	6	12.5	-6.5
Al-Mafraq	100	3	1.9	+1.1
Irbid	510	9	9.8	-0.8
A'gloun	92	3	1.8	+1.2
Jarash	125	2	2.4	-0.4
Ramtha and Bani Kanana	145	2	2.8	+0.2
Northern Ghor and Al-Koura	145	2	3	-0.1
Bado Al-Shamal	62	2	1.2	+0.8
Bado Al-Wasat	75	2	1.4	+0.6
Bado Al-Janoub	61	2	1.2	+0.8
Total	1171	80	90	

Source: Hani Hourāni, "Intikhabat 1993 al-Urdunyah," *Qira'at Siyasiyyah*, Vol 4, No. 2, (Spring 1994), p. 26.

APPENDIX C

Political Affiliation	Number of Seats	Orientation
Islamic Action Front	16	Religious
Independent Islamist	6	
Jordanian Arab Democratic Party	2	
Jordanian Arab Ba'ath Socialist Party	1	Pan Arabist
Jordanian Social Democratic Party	1	
People's Democratic Party	1	
Al-'Ahd	3	
Al-Mustaqbal	1	
Al-Yakatha	1	Pro-Regime
Al-Waṭan	1	Jordanian Nationalist
National Alliance Party	4	
Independent Tribal and Conservatives	36	Pro-Regime
Independent Leftists and Liberals	7	Secular
Total	90	

Sources: *Jordan Times*, 10 November and 20 November 1993; *al-Dustūr*, 11 November, 1993; and *Jordan Information Bureau*.



SUFI MOTIFS IN CONTEMPORARY ARABIC LITERATURE: THE CASE OF IBN 'ARABĪ

The rich spiritual and intellectual legacy of medieval Islamic mysticism has influenced in significant ways the *Weltanschauung* of many modern Arab novelists and poets. Their works abound in traditional Sufi topoi, imagery, and technical terminology. As a vivid example one can cite the novels of the Egyptian writer Nagīb Maḥfūz, a 1988 recipient of the Nobel Prize for literary achievement. His novels written in the 1960s, especially "The Beggar" (*al-Shahhādah*) and "The Thief and the Dogs" (*al-Liṣṣ wa l-kilāb*), display an elaborate mixture of traditional Sufi themes and current European intellectual trends and literary fashions such as existentialism, intuitivism, and *nouveau roman*. Sufi themes are even more pervasive in the writings of many Arab poets who have eagerly availed themselves of the mystical legacy.

In the vast body of medieval Sufi tradition, the enigmatic figure of Ibn 'Arabī, the controversial exponent of the mystical teaching known as "the unity of being" (*waḥdat al-wujūd*), holds special fascination for contemporary Arab writers. One cannot even briefly mention all the instances on which Ibn 'Arabī's personality and ideas are used in the Arabic literary discourses of the recent decades. The present study deals with two Arab novelists, the Syrian Muḥammad Ghāzī 'Arabī and the Egyptian Gamāl al-Ghiṭānī, both of whom have used Ibn 'Arabī's image in their literary works. In so doing, they have articulated two distinct approaches to Ibn 'Arabī's personality and mystical doctrine which are typical of many contemporary Muslim intellectuals.

Before turning to my topic, I would like to point out that the different views of Ibn 'Arabī taken by Muḥammad Ghāzī 'Arabī and Gamāl al-Ghiṭānī are accentuated by their dissimilar ranking in the world of Arabic *belle-lettres*. The former is entirely undistinguished. Apart from the book to be examined below, he wrote only one other novel which does not seem to have received any significant critical acclaim.¹ Al-Ghiṭānī, on the other hand, is a renowned prose writer whose works enjoy wide fame in the Arab world² and internationally.

¹ Adīb 'Izzat and Isma'īl 'Amur. *Aḥḥād Ittibāḍ al-kutāb al-'Arab*, 2d. ed. (Damascus, 1984), p. 490. This reference was kindly brought to my attention by Professor Werner Ende. The full title of the book to be discussed in my study is Muḥammad Ghāzī 'Arabī. *Faṭḥ al-wujūd: al-ṣifāt wa l-wujūd al-ṣūfī ka l-Ghazālī wa Ibn 'Arabī*, (Beirut: Dār Qutayba, 1985).

² For critical studies of his novels see, e.g., Mehrez, Samia. *Bricolage as Hypertextuality: A study of narrative structure and narrative modes in the works of the contemporary Egyptian*

Muḥammad Ghāzī 'Arabī and his *Faṭḥ al-wujūd*

Muḥammad Ghāzī 'Arabī's indebtedness to Ibn 'Arabī is acknowledged in the subtitle to his book "The Opening of Existence: The Sufi Gnosis and the Experience [of God] as [Expounded] by Ibn 'Arabī and al-Ghazālī." In fact, the author explicitly dedicates (*ihdā*) his novel to both medieval thinkers. However, as we shall see, Ibn 'Arabī's influence on the Syrian writer is not as strong as the subtitle of his novel might suggest.

The novel's plot is simple. It opens with a description of the spiritual and intellectual anguish experienced by a Damascene littérateur, who has suddenly realized that his creative potential is totally exhausted and he simply cannot carry on any longer. Intellectually and spiritually bankrupt, the hero desperately seeks a fresh start, a way out of his predicament. His quest brings him to al-Ṣālihiyya, a suburb of Damascus at the foot of Mount Qāsyūn. The location is significant in so far as it is the site of Ibn 'Arabī's shrine built by the Ottomans almost five centuries ago. There, far from the noisy downtown, the main character seeks a temporary respite from his distress. From the viewpoint of traditional Sufi practice, the protagonist's regular visits to this deserted place resemble the Sufi practice of spiritual retreat (*khaṭwa*), which spiritual guides recommend to their followers.

In a stone quarry adjacent to Mount Qāsyūn he meets an old man, apparently, a watchman hired by the construction company. Despite his humble status, the old man, whom the hero hastens to style "Shaykh," has an air of mystery around him. After a conversation, which is as brief as it is significant, the hero discovers that the Shaykh is well-versed in traditional Muslim sciences and moreover is a remarkable orator. In his first conversation with the main character, the Shaykh eloquently attacks the "idolaters," "unbelievers," and "hypocrites" who live in the downtown, then proceeds to castigate human vanity, greed and other human deficiencies. The main character finds himself irresistibly drawn to the Shaykh and becomes his disciple after the latter has intuited his spiritual crisis and suggested how to cure it. The hero then relates to him a strange dream he had on the Night of Destiny, i.e. Ramaḍān 27th, which the Shaykh interprets as an invitation for the hero to embark on the mystical path. He then predicts that the protagonist is bound to achieve the "unveiling of horizons" (*kashf al-āfāq*) and the "opening of existence" (*faṭḥ al-wujūd*).³

The rest of the book consists of long and, to my taste, monotonous conversations between the Master and the Disciple, which often evolve

writer Gamāl al-Ghitany, (Los Angeles, USLA, Diss., 1985); al-Ṣimādī, Ma'mūn. *Jamāl al-Ghitānī wa ṭ-turāth* (Cairo, 1992).

³ Muḥammad Ghāzī 'Arabī. *Faṭḥ*, p. 21.

into the former's diffuse monologues. Their subjects vary from the implications of the legend of Cain and Abel to Stalin's terror and the inadequacy of materialistic explanations of human nature. To the Western reader all this may appear a bit naive and forced. This is especially true of the way the heroes treat natural sciences and the flaws of Marxism. Such trivial discussions are not relieved by any stylistic excellence—by all accounts, the book makes a dull reading.

For all his avowed commitment to Sufi ideals, the Syrian author presents himself as a rather mediocre apologist for what may be described as the mainstream Muslim piety of the day. His *Weltanschauung* is common to many contemporary Arab intellectuals disillusioned with the secular values of nationalism and socialism and therefore intent on finding a solace in Islamic heritage. The only feature that sets our author apart from the generality of the "new converts" is his proclaimed commitment to Sufism which defies the vigorously anti-Sufi position espoused by the *salafis* along the lines of Rashīd Riḍā.⁴ This is one reason why Muḥammad Ghāzī 'Arabī's perception of Sufism merits closer scrutiny.

The novel ends abruptly, exactly when the protagonist is about to reach the highest degree of spiritual attainment and wisdom. At that very moment, his guide disappears in an explosion that occurred in the quarry. Symbolically, he leaves behind a pair of sandals—the allusion to the Qur'anic episode in which God asked Mūsa (Moses) to take off his sandals before entering into His presence.⁵ The final pages of the book leave the reader undecided as to whether or not the hero has completed his search.

I will focus here on the uses of Ibn 'Arabī's image and mystical ideas in the novel under discussion. As mentioned, Muḥammad Ghāzī 'Arabī exhibits a strong interest in, if not fascination with, the medieval Sufi tradition. Apart from Ibn 'Arabī and al-Ghazālī, he cites such Sufi masters of the past as Ibrāhīm Ibn Adham, Abū Yazīd al-Bisṭāmī, al-Junayd, 'Abd al-Karīm al-Jilī, Mulla Ṣadra, as well as Shaykh Arslān—the celebrated Syrian saint and holy patron of Damascus. Furthermore, the progress of the main character towards his goal is essentially that of a Sufi *murīd*. In no uncertain terms, Muḥammad Ghāzī 'Arabī describes it as falling into three distinct stages which correlate with the major phases of mystical awareness—i.e., *sharī'a*, *ṭarīqa*, and *ḥaqīqa*.

Muḥammad Ghāzī 'Arabī's portrayal of Sufi thinkers is consistently sympathetic. He unambiguously proclaims them the only true guardians of Islamic spirituality and morality. And yet, to anyone with elementary

⁴ See, e.g., John Esposito, *Islam: The Straight Path* Expanded edition (Oxford, 1991), pp. 109, 118, 131-132, etc.

⁵ See *Qur'ān*, 20:12.

knowledge of Sufism's history and doctrines, the author's treatment of Islamic mysticism may appear somewhat shallow and lacking in vigor. This comes to the fore in the author's treatment of the image of Ibn 'Arabī and his mystical insights. In spite of his admiration for Ibn 'Arabī, who is repeatedly described as *sulṭān al-ʿarīfīn* (i.e. "Sultan of the Gnostics"), Muḥammad Ghāzī 'Arabī has a rather vague idea of the mystical doctrines espoused the great Sufi thinker. Nor is he conversant with the details of Ibn 'Arabī's biography. Hence the factual blunders he makes in his account of the life of the Greatest Master.⁶

What is the Syrian author's overall assessment of Ibn 'Arabī's contribution to Islamic mysticism? In a drive to defend Sufism from its bigoted detractors, Muḥammad Ghāzī 'Arabī celebrates the Greatest Master as the chief exponent of Islamic esoteric philosophy, whose works are studied "in many universities of the world." Simultaneously, he bemoans the severe persecution of Ibn 'Arabī by narrow-minded Sunni *ʿulamā'*. This, however, is a gross overstatement, because throughout his lifetime Ibn 'Arabī enjoyed the protection of royal dynasties in Anatolia and Syria and had many friends and patrons in high places.⁷ As for the story of Ibn 'Arabī's indictment in Egypt on charges of heresy, it was, in all likelihood, a pious legend invented by a later biographer.⁸

Unaware of the details of Ibn 'Arabī's biography Muḥammad Ghāzī 'Arabī quixotically attempts to exonerate the Greatest Master from the accusations of "criminal inaction" *vis-à-vis* the Crusades and the Christians.⁹ In countering such charges, he defends Ibn 'Arabī's perceived "indifference" towards the "Christian danger" by quoting the famous *ḥadīth* which gave preference to "greater *jihād*" (i.e., a spiritual struggle against the "infidel" within) over so-called "lesser *jihād*" (i.e. a "hot" war against an outside enemy). It can be argued, however, that Ibn 'Arabī's tolerance of Christians as well as his making light of "lesser *jihād*" are grossly exaggerated, especially if we consider his letter to the ruler of Anatolia, Sultan Kay Kaus, in which he urged the sovereign not only to fight Christian

⁶ Muḥammad Ghāzī 'Arabī. *Faṭḥ*, p. 33; cf. Ibn 'Arabī. *Al-Futūḥāt al-makkiyya* (Cairo, 1911), repr. Dār Ṣāḍir, Beirut, n/d, vol. 2, p. 18 and Ralph Austin. *Sufis of Andalusia: The Rūḥ al-quds and al-Durrat al-fākhira of Ibn 'Arabī*, George Allen & Unwin, (London, 1971), pp. 21-22.

⁷ *Ibid.*, p. 35.

⁸ The provenance and implications of that episode are discussed in my forthcoming book *Ibn 'Arabī in The Later Islamic Tradition Making an image in medieval Islam*

⁹ *Ibid.*, p. 34. Such accusations were often made by some Muslim reformers, who were disgusted at the more recent instances of collaboration of Sufi leaders with European colonial administration, see, e.g., Keith Brown. "The Discrediting of a Sufi Movement in Tunisia," *Islamic Dilemmas: Reformers, Nationalists, and Industrialization*, ed. E. Gellner, Mouton, (Berlin-New York-Amsterdam, 1985), pp. 146-68.

Byzantium but also to impose a number of humiliatingly debilitating statutes on his own Christian subjects.¹⁰

Here, as on many other instances, Muḥammad Ghāzī 'Arabī oversimplifies the complex and variegated nature of Ibn 'Arabī's world-outlook. Hence his apologetic thrusts against the critics of Sufism in general, and those of Ibn 'Arabī in particular fall short of their goal. More importantly, they are by and large poorly thought out and presented, and can be easily repudiated by anyone steeped in the history of Islamic mysticism.

The author's superficial approach manifests itself in his attempts to portray Ibn 'Arabī as a pillar of allegorical and rationalist interpretation (*ta'wīl*) of the Qur'ān and the Muslim tradition (*ḥadīth*). But Ibn 'Arabī's texts, especially the *Futūḥāt*, suggest a much more nuanced picture of his exegetical method. His exegesis has been characterized by Western investigators as one that maintains a dynamic tension between "literal" and allegoric approaches to the texts of Islamic Scripture. According to James Morris, Ibn 'Arabī sought to achieve "the ultimate coincidence . . . between the precise, revealed literal formulations of the Koran or *ḥadīth* and their essential spiritual truth and intentions."¹¹

Whereas, in my view, the above quotation somewhat overstates the extent of Ibn 'Arabī's "literalism," to describe Ibn 'Arabī as the founder and ardent adherent of *ta'wīl* is misleading¹² due to the extraordinary complexity of his exegetical techniques. Further to the point, Ibn 'Arabī's "allegorical" approach to the Scripture is demonstrated by examples from the Qur'anic commentary written by a later interpreter of Ibn 'Arabī's thought named al-Qāshānī (d. 1334).¹³ Al-Qāshānī's commentary, however, "is not at all representative of Ibn 'Arabī's 'style' or 'method' of exegesis, and only to a limited extent . . . of Ibn 'Arabī's thought . . ."¹⁴ This is significant, since in presenting Ibn 'Arabī's views the Syrian writer draws on the secondary literature associated with the Greatest Master and not on his original works.

Throughout, the characters of Muḥammad Ghāzī 'Arabī's novel seek to resolve the perennial theological problem of the relationship between human free will and divine predestination. In a step-by-step progression

¹⁰ Ibn 'Arabī. *Futūḥāt*, vol. 4, pp. 547-548, Austin *Sufis*, pp. 42-43.

¹¹ James Morris. "Ibn 'Arabī's 'Esotericism': The Problem of Spiritual Authority," in: *Studia Islamica*, vol. 71 (1990), p. 45; cf. Michel Chodkiewicz. "Ibn 'Arabī: la lettre et la loi," in: *Actes du colloque: mystique, culture, et société* (Paris, 1983), pp. 27-42.

¹² This description better applies to some Mu'tazili thinkers, who sought to explain away the "anthropomorphic" characteristics of God in the Qur'ān by having recourse to an allegorical exegesis see Alexander Knysh. "Ta'wīl," in *Islam: Encyclopedic Lexicon* (Moscow, 1991), pp. 218-19 (in Russian).

¹³ James Morris. "Ibn 'Arabī and His Interpreters," in *JAS*, vol. 107 (1987), pp. 101-2.

¹⁴ *Ibid.*, p. 102 note 74; see also pp. 101-6 for a discussion of the substantial differences between the two thinkers.

towards the "ultimate truth," the Sufi master imparts mystical gnosis to his *murīd* in a piecemeal way. As the narrative reaches its culmination, the Shaykh unveils to the hero the breathtaking conclusions he has reached after years of contemplation. These conclusions address such burning issues of Islamic theology as the elusive relation between the divine essence and its attributes, the never-ending manifestations of God's innumerable attributes, the transcendence of the Divine Reality and the accidental and empirical nature of its effects, etc. The way in which these issues are formulated demonstrates the author's indebtedness to Ibn 'Arabī's terminology and ideas, although these too seem to have been borrowed from secondary literature and not from the Shaykh's original writings.

In dealing with the practical implications of the theological notions mentioned above, the Syrian writer cites Ibn 'Arabī's doctrine of the two modes of God's will—i.e., the Creative Command (*al-amr al-takwīnī*) and the Obligating Command (*al-amr al-taklīfī*) which were laid down in *Fuṣūṣ al-ḥikam*.¹⁵ This doctrine, which takes its origins in Mu'tazili thought, was used by Ibn 'Arabī with a view to solving—or perhaps circumventing—the human-free-will-vs-divine-predestination dilemma.¹⁶ Although Muḥammad Ghāzī 'Arabī uses slightly different terms—respectively "Cosmic Wish" (*irāda kawniyya*) and "Religious Wish" (*irāda dīniyya*)—his dependence on Ibn 'Arabī on this issue is obvious.

To illustrate the implications of the doctrine of double will, Muḥammad Ghāzī 'Arabī has recourse to a parable of the playwright and his work. The playwright—here the example of Shakespeare is cited—is immortal by virtue of the immortality of his work. Yet, his characters, who are both mortal and disposable, are made to play their roles in order to teach a moral lesson to the audience. To achieve his goal, the divine author intentionally arranges them into two mutually opposed groups: the sinners and the righteous. Both groups, however, have much in common in that they are helpless puppets caught in the cobweb of the divine plan with regard to creation. The intrinsic tension which inevitably arises between the two parties is essential for the divine scenario in so far as it imparts to the script the suspense and dynamics which characterize every great work of art. While the personality of the script writer is in no way identical with his set, some of his features can be deduced from the way he arranges the cast and spins the plot.¹⁷ This rather trivial idea, couched in the allegory of the theater, is advertised by the Syrian novelist as the pinnacle of the divine knowledge so vigorously pursued by his characters.

¹⁵ Ibn 'Arabī. *Fuṣūṣ al-ḥikam*, ed. and comment. by Abū 'l-ʿAlāʾ Afīfī. (Beirut, 1946), p. 147; cf. Ralph Austin. *Ibn al-ʿArabī The Bezels of Wisdom* (Paulist Press, Ramsay-New York-Toronto, 1980), pp. 31, 183.

¹⁶ See, e.g., Austin. *Bezels*, p. 31.

¹⁷ Muḥammad Ghāzī 'Arabī. *Faṭḥ*, pp. 191-5.

With the concept of Cosmic Wish as his starting point, Muḥammad Ghāzī 'Arabī's Shaykh drastically reconsiders his earlier invectives against "infidels," "sinners," and "hypocrites." He describes his criticism of human vices as a necessary conventionality that benefits the novices on the Sufi path but is redundant for those who have attained its advanced stages. Once he has realized this underlying truth, the mystical wayfarer is poised to grasp his true condition and the real state of affairs in the Universe. An allusion to this, according to Muḥammad Ghāzī 'Arabī, is contained in the famous prophetic dictum often cited by Ibn 'Arabī: "People are asleep, and when they die, they will wake."¹⁸ The Syrian writer interprets this statement as an exhortation for humans to rid themselves of illusions and stereotypes of everyday existence and thereby to reach its hidden core.

Anyone familiar with Sufi teachings in general, and those of Ibn 'Arabī in particular, is tempted to dismiss this interpretation of Sufi legacy as eclectic, facile, and uninspired. Still, its obvious shortcomings notwithstanding, Muḥammad Ghāzī 'Arabī's work is a sincere attempt to suggest the ideals and concepts of medieval Sufism as a remedy for the spiritual crisis experienced by the contemporary Arab intelligentsia. In so doing he seeks to enrich the intellectual and spiritual life of his countrymen with what he regards as the timeless insights and high moral standards bequeathed to them by medieval Sufi masters. In a way, the latter indeed have much to offer to their neurotic and confused posterity. It is, however, clear that making use of these intellectual and spiritual resources requires more than a hasty reading of randomly selected passages from Sufi classics and their contemporary interpreters. Muḥammad Ghāzī 'Arabī's superficial acquaintance with the Sufi tradition and his apparent lack of literary talent, in my view, stymie his efforts to carry his message through. Yet, his attempt is typical of the interest in the Sufi legacy on the part of the secularized Arab intellectuals who have become increasingly disillusioned with the secular and religious ideologies of the day.

Seen in a more narrow perspective, Muḥammad Ghāzī 'Arabī's *Faṭḥ al-wujūd* is yet another contribution to the vast corpus of writings on Ibn 'Arabī which contains many similar reflections on, and vulgarizations of, the originally profound and multifaceted insights. It is true that making use of Ibn 'Arabī's insights alone is not enough to salvage an otherwise pedestrian and trivial literary work such as one discussed above. However it appears to me that the ferment of Ibn 'Arabī's thought has at least rendered it subtler and, hopefully, more palatable to the readership concerned with exploring the rich potential of classical Sufism.

¹⁸ See, e.g., Chittick. *Path*, pp. 119, 120, 231.

As many great thinkers before and after him, Ibn 'Arabī has been subject to different, sometimes conflicting, evaluations. Muḥammad Ghāzī 'Arabī sees his legacy as a much-needed antidote against the materialistic and pragmatic tendencies of the modern age, an indispensable remedy from the perceived spiritual degradation of contemporary Arab society. But this approach is only one of the many creative possibilities associated with the personality and work of the great Sufi master. The writer whose work is discussed below takes a quite different view of Ibn 'Arabī and his legacy.

Ibn 'Arabī in al-Ghiṭānī's *Tajalliyāt*

The image of the Sufi master in the work of al-Ghiṭānī strikes me as immeasurably more subtle and personal. Yet it is as remote from the "historical" Ibn 'Arabī as that which was discussed in the previous section. Al-Ghiṭānī's discourse turns on what might be described as an attempt to achieve spiritual congeniality with the medieval mystic. This attempt determines the tone, the atmosphere, and the very structure of al-Ghiṭānī's complex work. Whereas in the *Faṭḥ* the figure of Ibn 'Arabī, for all its importance, is not central to the overall plot, in al-Ghiṭānī's novel it takes pride of place. Its importance is signalled by the very title of the book—*tajalliyāt*, i.e., the term with which Ibn 'Arabī denoted the self-manifestation of the divine Absolute in the empirical universe.¹⁹ In addition, the first two parts of al-Ghiṭānī's work are tellingly called *sifr* (i.e., "book," especially, a holy scripture), instead of the much more common Arabic terms *mujallad* ("volume"), or *juz'* ("part"). This division is, in all likelihood, patterned on the structural units which constitute Ibn 'Arabī's *al-Futūḥāt al-makkiyya*.

Further, the entire architectonics of al-Ghiṭānī's novel replicates the structure of Ibn 'Arabī's *magnum opus*. Shorter subsections are named after those of the *Futūḥāt*, e.g. *faṣl* and *waṣl*, *raqīqa* and *daqīqa*, *latīfa*, etc. Longer chapters are styled *maqām*, *tajallī*, or *mawqif*—i.e., the terms which are widely used in Ibn 'Arabī's writings. Finally, al-Ghiṭānī's text contains numberless literal quotations from, and allusions to, Ibn 'Arabī's *Futūḥāt* and *Fuṣūṣ*. An acclaimed stylist, al-Ghiṭānī takes pains to emulate the stylistic features of Ibn 'Arabī's narrative. As an example, one may cite his use of the exhortations with which Ibn 'Arabī often addresses his reader in the *Futūḥāt*, e.g., "know dear friend," "know, O ye, possess-

¹⁹ See, e.g. my article "Tajallī" in *Islam: An Encyclopedic Lexicon* (Moscow, 1991), pp. 219-20.

ors of intelligence and perspicacity," "understand, may God give you success," "O you, intelligent observer," etc.

In addition to Ibn 'Arabi's influence, al-Ghiṭānī's discourse exhibits his profound indebtedness to Western literary and philosophical theories which are intricately intertwined with typical Sufi motifs. It is, in my view, precisely due to al-Ghiṭānī's eclecticism that his *Tajalliyāt* defies conventional literary criticism, in so far as by emphasizing one strand of influence and minimizing the other, one risks bringing down the whole literary construction erected by al-Ghiṭānī. This said, I will nevertheless concentrate on the Sufi ideas and topoi interwoven into the discourse of the *Tajalliyāt*, leaving out the more readily recognizable Western influences which permeate his work.

The novel's plot focuses on the visionary journey through the past undertaken by the protagonist whose similarity with the author is evident to the reader familiar with al-Ghiṭānī's career. This journey is cast as a conglomerate of the hero's reminiscences in which the figure of his departed father is allotted a central role. Al-Ghiṭānī's discourse is virtually infused with allusions to the Sufi *mi'rāj* narratives, Dante's *Divine Comedy*, Freud's psychoanalysis, Jung's theory of dreams, the Proustian "*recherches des impressions passées*," as well as to the traditional Sufi doctrine of the "states" and "stations" of the mystical path.

In a thoroughly impressionistic and symbolic fashion, al-Ghiṭānī describes how the main character strives to transcend the limitations imposed on him by the lineal flow of history. In his desperate desire to liberate himself from the shackles of time, al-Ghiṭānī's hero accomplishes a miraculous leap into the all-encompassing "unity of experience," which immediately conjures up the "unity of contemplation" (*waḥdat al-shuhūd*) of medieval mystical thinkers.²⁰

In the crucible of this unitive experience al-Ghiṭānī's hero seeks to melt his past and present impressions, dreams and elusive sensations and to achieve a new, rectified existence. It is with this goal in mind that he undertakes an arduous journey through a timeless and limitless universe in which he encounters historical figures and his past friends.

Al-Ghiṭānī's narrative hinges on three thematic axes: the fateful Battle of Karbalā' in which al-Ḥusayn Ibn 'Alī met his tragic death; the hero's nagging feeling of guilt towards his late father whose funeral he had missed, and, finally, the 1967 Arab-Israeli war and the subsequent "betrayal" of the Arab cause by President Sādāt. In his travels through time and space,

²⁰ See Hermann Landolt, "Der Briefwechsel zwischen Kasani und Simnani über Wahadat al-wujud," in *Der Islam*, vol. 50/1 (1973), pp. 29-81; Alexander Knysh, "Waḥdat al-wujūd," in *Islam: Encyclopedic Lexicon*, pp. 48-49; and Oleg Akimushkin, "Waḥdat al-shuhūd," *ibid.*, pp. 49-50.

the main character meets al-Ḥusayn and the contemporary historical figures, Ibn 'Arabī, Gamāl 'Abd al-Nāṣir, his friends killed during the Arab-Israeli battle for Sinai, and, ultimately, Khālīd Islambūlī, the assassin of President Sādāt. Their simultaneous, and at times chaotic, presence in the narrative is made possible by the protagonist's all-encompassing unity of experience.

In his attempts to pay his last dues to his father, the hero is helped by the "Heavenly Host" (*al-mala' al-a'lā*), also called the "Sublime Assembly" (*al-dīwān*). Significantly, this gathering of the greatest saints of all times, which invisibly runs the affairs of the universe, is often mentioned in Ibn 'Arabī's writings. In al-Ghiṭānī's narrative, it is headed by the saintly lady Zaynab, the sister of al-Ḥusayn Ibn 'Alī whose shrine in Cairo is worshipped by many Egyptians. It is Zaynab who, as a special honor, grants the hero the permission to initiate his spiritual quest and asks her martyred brother to be his guide. Al-Ḥusayn accompanies the hero throughout the early stages of his imaginary venture, whereupon he is succeeded by Ibn 'Arabī, who initially makes only occasional appearances.

Al-Ḥusayn seeks to comfort the hero in the spiritual ordeal he undergoes when he sees the sufferings which befell his beloved father. In al-Ghiṭānī's creative conceit, al-Ḥusayn is assigned the role of the father's guardian angel, who upon the his death takes his distraught son under his wing.

Occasionally, al-Ḥusayn regains his historical features, and then we see him leading of a tiny army of rebels against the "unjust and impious" Umayyad Caliph Yazīd. The tragedy of Karbalā', envisioned by al-Ghiṭānī as the greatest catastrophe in Islamic history, unfolds against the backdrop of the protagonist's painful reminiscences of the Arab-Israeli war of 1967. The picture of war painted by the author clearly displays his unswerving loyalty to President 'Abd al-Nāṣir and to the ideology of Arab revival. The author's socialist loyalties are especially pronounced in his enthusiastic apology for the liberal social policies initiated by the late president. Throughout, al-Ghiṭānī sympathetically portrays 'Abd al-Nāṣir as a semi-saintly figure and a staunch protector of the poor and downtrodden people similar to the hero's father—a humble clerk in an Egyptian ministry. This apology is all the more surprising since both the hero of the novel and al-Ghiṭānī in real life suffered interrogations and beatings at the hands of 'Abd al-Nāṣir's secret police.

In sharp contrast to the idealized image of 'Abd al-Nāṣir, his successor Sādāt is depicted as an unscrupulous politician and a shameless traitor of the Arab cause, who is invariably referred to as "the Harsh Boor" (*al-jilf al-jāfi*). The author's disgust at Sādāt's perceived "misdeeds" comes to the fore in his spirited praise of the President's assassin who is described as the relentless instrument of fate.

In his vigorous advocacy of leftist political and social ideals, al-Ghiṭānī sets his foot on a precarious ideological quicksand; at times, his narrative reads like a political pamphlet. Luckily, his preoccupation with the controversial political developments of recent decades does not divert him completely from his creative task. For him, Middle Eastern politics do not become an end in themselves: they rather serve as a chronological and historical backdrop for the rueful spiritual experience of his hero. This approach jibes well with al-Ghiṭānī's overall vision of reality outlined in one of his interviews:

"History is nothing but time. Time, in its turn, cannot be isolated from man. Every human being is a history with its own beginning and its own end, the birth and the death, while between them there lies a succession of events, in which past, present and future are blended. . . . I am inclined to think that in written history there is no such thing as objective reality, in so far as. . . it is a manifestation of [subjective] human experience—i.e., a manifestation of man himself. . . ." ²¹

What role does Ibn 'Arabī play in this mixture of Proustian conception of *"la réalité, qui ne se forme que dans la mémoire"* and French existentialism with elements of the more recent theories à la Foucault and Derrida? The answer is not easy to find. One thing, however, is obvious: in analyzing al-Ghiṭānī's work one cannot just point to the author's dependence on European intellectual trends, while reducing his religio-cultural specificity to "local color" and trivial "vignettes," deemed to "spice" an otherwise Westernized literary discourse.

Clearly, the profound meditations on the human condition which constitute the crux of the *Tajalliyāt* cannot be derived solely from Western literary and philosophical discourse. They equally owe their inspiration to the creative appropriation by the author of the legacy of Islamic mysticism with its rich tradition of subtle psychological analysis and its passionate pursuit of ultimate truths. By drawing on the Sufi heritage al-Ghiṭānī happily avoids the beaten path of modern European literature with its individualistic philosophy of estrangement. His work subtly blends Western individualism with its soul-searching and self-analysis with the unitive experience borrowed from Sufi classics.

In contrast to the familiar estranged and individualistic hero of modern European literature immersed in a minute self-analysis and self-recrimination, al-Ghiṭānī's character is invariably accompanied by a fatherly figure of the Sufi *shaykh*—simultaneously a tutor and a confidant. With the assistance of the *shaykh*, al-Ghiṭānī's hero eventually succeeds in sur-

²¹ See Vera Kyprychenko. *Sovremennaya Egipetskaya Proza* (Nauka, Moscow, 1986), p. 181.

mounting the moral and psychological pitfalls and attains his final destination.

In al-Ghiṭānī's novel, al-Ḥusayn and Ibn 'Arabī stand for two different, or even opposite, types of spiritual tutor. They personify the two possible relationships between the *shaykh* and his disciple (*murīd*) which are abundantly attested to in Sufi writings. The hereditary protector of the hero's family, al-Ḥusayn provides him with much needed consolation and helps to overcome the torments of his spiritual journey through the past.

Al-Ḥusayn's tenderness and compassion contrast sharply with Ibn 'Arabī's firm and authoritarian conduct. He handles his *murīd* harshly and even cruelly: in firmly guiding the hero to his elusive goal, Ibn 'Arabī pays no heed to his sufferings and complains. At the end of the first volume of the *Tajalliyāt* al-Ḥusayn steps aside, leaving the confused hero at Ibn 'Arabī's disposal. From that moment on, we witness a series of inexplicable, even scandalous happenings which conjure up the excesses deliberately wrought by the model mystic al-Khiḍr in order to confuse the well-meaning, literally-minded Qur'anic Moses.²²

In a dramatic scene we watch how Ibn 'Arabī ruthlessly detaches his disciple's head from the body—a plain allusion to Ibn 'Arabī's famous encounter with Ibn Ruṣhd in which the young Sufi reportedly confounded the renowned philosopher by calling in doubt the authority of syllogistic reasoning and praising the intuitive gnosis of the mystics:

Between the Yea and the Nay the spirits take their flight beyond the matter, and necks detach themselves from their bodies.²³

As if to compound the hero's agony, the Heavenly Host orders that the hero's heart be removed from his breast—another Qur'anic allusion which makes us recall the opening of the Prophet's heart by the angels.²⁴ Significantly, the throbbing heart is entrusted to Ibn 'Arabī in an episode that apparently symbolizes his total control over the confused and frightened disciple.

As mentioned, the different treatment of the hero by his two masters enshrines the two complementary methods of spiritual guidance developed by Sufis. Moreover, their contrasting attitudes to their disciple may also be construed as a symbol of the two opposed modes of God's relation-

²² See Qur'ān, 18:60-82, in which Moses' companion is not named. For Ibn 'Arabī's interpretation of this episode see Ian Netton, "Theophany as Paradox: Ibn 'Arabī's Account of al-Khiḍr in his *Fuṣūṣ al-ḥikam*," *Journal of the Muhyiddin Ibn 'Arabī Society*, vol. 11 (1992), pp. 11-22.

²³ For the overall context and implications of this episode see Claude Addas, *Ibn 'Arabī ou la quête du soufre rouge* (Gallimard, Paris, 1989), pp. 56-8.

²⁴ See, e.g., V. Birkland, *The Legend of the Opening of Muhammad's Breast* (Oslo, 1955).

ship with the Universe—i. e., His attributes of beauty, which represent His loving care and compassion towards His creatures (*jamāl*), and His attributes of omnipotence and sublimity associated with His less benign side—that of overpowering divine will (*jalāl*).²⁵

Be this as it may, the end of Book I of the *Tajalliyāt* and most of Book II are dominated by Ibn 'Arabī's figure which becomes pivotal to the entire plot. Unsurprisingly, the protagonist's visions and experiences are modelled on those of the *Futūḥāt*—a work whose genre has often been defined by some scholars as that of [Ibn 'Arabī's] "spiritual diary."

In one episode, Ibn 'Arabī takes al-Ghiṭānī's hero to the "Tree of Existence" (*shajarat al-kawn*), which was described in great detail in one of Ibn 'Arabī's shorter treatises. In accordance with an Islamic belief, the number of leaves on the Tree correlates with the number of individual human souls. At the appointed date inscribed on every leaf it falls down, thereby enunciating the death of its human double. Basing himself on this topos, al-Ghiṭānī narrates how Ibn 'Arabī, who carries the hero's head on his shoulder, allows it to catch a glimpse of the leaves which correspond to the fates of his close relatives and friends. This only increases his anguish, since the hero is not allowed to see his own leaf, this being the privilege of the members of the Supreme Assembly of the Saints (*al-dīwān*). In this episode, as elsewhere in Book II of the *Tajalliyāt*, the terminology is definitely borrowed from Ibn 'Arabī's works: *maḥw-ithbāt* (pp. 22-3), *zamān jāhiliyyatī* (p. 25, cf. p. 178), *ḥayra* (p. 24), *Allah khallaq alā l-dawām* (p. 26), *khalq jadīd* (p. 37), *maqām al-gurba* (p. 168 et passim.), *khayāl* (p. 186), *barzakh* (passim.), *rijāl al-ghayb* (p. 112) etc.²⁶

Another theme from Ibn 'Arabī's work which is incorporated into al-Ghiṭānī's narrative is that of the missing bricks in the wall of universal prophethood. In the *Futūḥāt*, Ibn 'Arabī speaks of the wall of the Ka'ba which has two bricks missing; he then proceeds to interpret this vision as symbolizing the last prophet and the last saint of humankind.²⁷ Now, in Ibn 'Arabī's text, the bricks stand for the complementary nature of Muḥammad's eternal sainthood and his temporary, historical mission of a prophet. Al-Ghiṭānī's use of this conceit has little to do with its original meaning. In his narrative, the recess formed by the missing bricks, becomes the vantage point which allows the hero's severed head to watch the otherwise invisible events prior to his birth. Although the idea is

²⁵ See, e.g., Douglas B. Macdonald. "Allah," EI², vol. 1, pp. 317-321 and Louis Gardet, "Al-Asma' al-husna," *ibid.*, vol. 1, pp. 735-738.

²⁶ For these terms see Su'ād al-Ḥakīm. *Al-Muḥjam al-sūfi: al-ḥikma fi ḥudūd al-kalima* (Beirut, 1984), "index."

²⁷ Ibn 'Arabī. *Al-Futūḥāt*, vol. 1, p. 319; cf. Michel Chodkiewicz. *Le sceau des saints* (Gallimard, Paris, 1986), pp. 159-60.

ostensibly the same, the two writers endow it with quite different meanings, which is typical of al-Ghiṭānī's uses of Ibn 'Arabī's topoi.

The visionary journey undertaken by the main character of al-Ghiṭānī's novel retraces the stages of Ibn 'Arabī's spiritual quest as sketched out in the *Futūḥāt*. Like Ibn 'Arabī, the hero of al-Ghiṭānī's novel attains the station of proximity (*maqām al-qurbā*), although, as in the previous example, the apparent similarity of the images need not mislead us. In fact, the ways in which this experience is interpreted by the two writers are widely disparate. While Ibn 'Arabī describes "the station of proximity" as a very advanced stage on the path to self-perfection,²⁸ al-Ghiṭānī sees it as a place of loneliness and desolation. In keeping with this interpretation, the hero calls it "the station of Sorrow" (*maqām al-ḥuzn*)—i.e., one in which the hero's estrangement from his friends and relatives has reached its peak. It is here that the hero finally perceives how he has wronged those who loved him most and that he will never be able to make amends for the harm done to them. Certain similarities notwithstanding, Ibn 'Arabī's vivid description of this sublime mystical "station" squares ill with the existentialist agony which lurks behind al-Ghiṭānī's narrative.

Another vivid example of al-Ghiṭānī's propensity to tailor Ibn 'Arabī's topoi to his needs is the vision of the shining bird, described in Ibn 'Arabī's *Futūḥāt*. In Ibn 'Arabī's narrative, the fabulous bird, which flies about the Divine Throne, notifies him of his imminent departure for the East. Al-Ghiṭānī, on the other hand, has a different symbolic axe to grind. In his novel this bird is used as a symbol of the hero's frustration with the policies of President Sādāt, since it has the face of Khālid Islambūlī—the assassin of Egypt's president, who is celebrated as the deliverer of the Egyptian people from the "disgrace" of the Camp David peace treaty.

Sometimes al-Ghiṭānī's uses of Ibn 'Arabī's topoi are extremely subtle and lend themselves to several possible interpretations. In one episode, the hero's visionary journey takes him to Paris, where he acquires a new identity and becomes a young Egyptian immigrant in love with a Syrian girl named Laure. Their romance is suddenly interrupted by Ibn 'Arabī, who demands that the hero abandon his new love and continue his visionary journey. In admonishing the protagonist, Ibn 'Arabī stresses the contingent, incidental nature of the hero's love of Laure, which, in Ibn 'Arabī's words, is basically nothing but love of himself. Conversely, the hero's love of, and moral obligation towards, his father are essential and irrevocable and therefore cannot be relinquished in favor of a transient and mundane passion.

²⁸ Austin. *Sufis*, pp. 33-4.

One cannot escape the impression that in this episode al-Ghiṭānī tries to play on Ibn 'Arabī's concept of the relationship between the Cosmic Nature (*al-ṭabī'ā*) and the Divine Absolute, as outlined in a passage from the *Fuṣūṣ*. According to this concept, everything in the cosmos, including the Cosmic Nature itself (which is allegorized by woman), takes its origin in the unique and all-embracing Divine Absolute (symbolized by man).²⁹ Since, according to Ibn 'Arabī, the Cosmic Nature (= Woman) is, in a sense, derivative from, and nothing else but, the Divine Absolute (= Man), their separation is but an accident and an illusion.

If my suggestion is correct, Ibn 'Arabī's insistence that the protagonist disengage from his female "double" may be construed as referring to the futility of any attempt to drive the conceptual wedge between the divine Subject and the human Object, in so far as both are, in the final analysis, identical. Alternatively, Ibn 'Arabī's admonition may allude to the inherent necessity for man to realize his real source and to be grateful to his Creator (= the Father) for the precious gift of life.

Examples that demonstrate al-Ghiṭānī's sophisticated play on the topoi borrowed from Ibn 'Arabī's work are legion. As mentioned, his interpretations of some images of the latter's discourse often strike us as farfetched and arbitrary. Yet, in his overriding concern for dreams, visionary experiences, and "creative imagination" al-Ghiṭānī comes surprisingly close to Ibn 'Arabī's view of the empirical world as "imagination within imagination"—a view that lies at the very heart of the *Weltanschauung* of the medieval Sufi.³⁰

It would be too much of a diversion to compare and contrast Ibn 'Arabī's visionary accounts of his spiritual ascension to the heavenly spheres and the experiential travels of al-Ghiṭānī's protagonist. Suffice it to say that in this respect also the parallels between their works are pervasive and numerous.³¹

On the other hand, one should not ignore the considerable differences in the world-outlooks of the two writers. Such differences are quite understandable in view of the dramatic disparity of their historical epochs and cultures. Ibn 'Arabī's vision of human condition, though by no means optimistic, is generally devoid of the tragic and pessimistic undertones which permeate the tissue of al-Ghiṭānī's work. The serenity of the Greatest

²⁹ Austin. *Besels*, p. 87.

³⁰ See, e.g., Henri Corbin. *Creative Imagination in the Sufism of Ibn 'Arabī* (Princeton, 1969), *passim*; William Chittick. *The Sufi Path of Knowledge: Ibn al-'Arabī's Metaphysics of Imagination* (SUNY, Albany, 1989), pp. ix-x and 118-21.

³¹ For Ibn 'Arabī's ascension narratives see James Morris, "The Spiritual Ascension: Ibn 'Arabī and the *mi'rāj*," *JAOI*, vol. 107 (1987), pp. 629-52 and *ibid.*, vol. 108 (1988), pp. 63-78; cf. Ibn 'Arabī. *Le Dévoilement des effets du voyage* Trans., edition, and comment by Denis Gril, Éditions de l'éclat, (Combas, 1994).

Master was safely guarded by his unswerving conviction of the veracity of his mystical insights and, as a consequence, of his eventual ability to achieve salvation. Impregnable in his *mundus imaginalis*, Ibn 'Arabī is oblivious of, and uninterested in, the distresses of the imperfect world around him.

In contrast, al-Ghiṭānī's vision of life is neither whole nor tranquil. It is already "contaminated" by the intrusion of the "alien" intellectual trends among which European existentialism with its tragic vision of human destiny and its emphasis on the meaninglessness of human efforts to achieve certainty and happiness takes pride of place. Compounded by an acute realization of the political and social failures suffered by the Arab world over the last decades, existential grief becomes the leitmotif of al-Ghiṭānī's discourse.

And yet, paradoxically, the novel has an optimistic ending which seems to be inspired by Ibn 'Arabī's description of universal sainthood in Chapter 73 of the *Futūḥāt*. In the final scene, the hero achieves his ultimate goal and attends his father's funeral in Heaven. He watches the father joining the Heavenly Host and becoming one of "the Men of the Unseen" (*rijāl al-ghayb*) of Ibn 'Arabī's discourse. The "canonization" of the father, who was abused and downtrodden in his earthly life, is deemed to compensate him for his Sisyphean virtue and modesty. Implicitly, this episode echoes Ibn 'Arabī's idea that the great saints of this world are to be sought among God's most humble servants.³²

Conclusion

Upon comparing how Ibn 'Arabī's personality and intellectual legacy are treated by Muḥammad Ghāzī 'Arabī and Gamāl al-Ghiṭānī, we have discerned two distinctive approaches to his mystical legacy which are current among contemporary Arab intellectuals or, at least, among those of them who are favorably disposed to Sufism. Muḥammad Ghāzī 'Arabī exemplifies a more-or-less traditional view of the Sufi master that goes back to the long tradition of popularization, if not vulgarization of his teaching with a view to making it palatable to mainstream Sunni theologians.³³ Seen in this perspective, Muḥammad Ghāzī 'Arabī's endeavor is not dissimilar to that of al-Ghazālī, who also sought to revivify traditional Sunni piety by lacing it with Sufi morals and spiritual discipline.

The portrayal of the Greatest Master in al-Ghiṭānī's novel springs from a much more subtle and sophisticated appropriation of Ibn 'Arabī's themes—an appropriation that is both highly personal and subjective.

³² See, e.g., Austin. *Sufis*, *passim*.

³³ A typical representative of this tendency was 'Abd al-Wahhāb al-Sha'rānī (d. 1565), see my article "al-Sha'rānī" in *Islam: Encyclopedic Lexicon* (Nauka, Moscow, 1991), pp. 291-2.

The fact that Ibn 'Arabī plays such an important role in the works of contemporary Arab writers is not fortuitous, since he indeed is "a precious larder from which all sorts of delicious vittles can be extracted."³⁴ No matter how accurately (or otherwise) Ibn 'Arabī is portrayed by the writers discussed here, one thing is certain: we witness the emergence of a positive view of Sufi tradition among contemporary Arab *littérateurs* which defies the consistently anti-mystical stance taken by early Muslim religious reformers and liberal Arab intellectuals. This, I daresay, is a welcome development, for it is my firm conviction that Sufism has much to offer to the modern man in terms of the creative energy, imagery, and profound insights into the human condition accumulated by many generations of Muslim mystics. Whatever Sufism's flaws, they are, in my view, outweighed by the positive contribution it has made to the social institutions and spiritual life of Muslims who have benefited greatly from its effective welfare network and the moral guidance dispensed by its leaders.³⁵

As the foregoing discussion has shown, the Sufi legacy is capable of enriching and deepening, in significant ways, the literary work of modern Arab writers. Moreover, in the case of al-Ghiṭānī's novel, it helped the writer to emancipate himself from the slavish attachment to Western intellectual fads and to develop an original and emotionally profound discourse. To be certain, Sufism's heritage offers a wide variety of options from antinomianism and a total rejection of this world to inner-worldly activism and, occasionally, political militancy. Yet, on balance, it remains one of the most precious and attractive products of Islamic civilization—one that is unique in its tolerance and openness to dialogue with Islamic and non-Islamic belief systems.

It is therefore regrettable that, even today, Sufism often becomes a scapegoat of such diverse trends in Arabic intellectual life as pragmatic secularism, Marxism, nationalism, and narrow-minded religious fundamentalism. When approached with skill and creativity, the mystical tradition of Islam can, as this study has tried to illustrate, provide a compelling alternative to the dispirited, and often intolerant, positions espoused by proponents of the above-mentioned ideologies.

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³⁴ Chittick. *Path*, p. xix.

³⁵ See, e.g., Marshall Hodgson. *The Venture of Islam* (The University of Chicago Press, Chicago, 1974), vol. 2, pp. 124-5 and 216-22.

THE REPRESENTATION OF MUSLIM WOMEN IN RENAISSANCE ENGLAND

The Renaissance period witnessed a significant transformation in the image and role of women in western Christendom. Women, who had been represented in the medieval period in contexts of enclosure, silence, chastity and dependence, began to engage in polemical writings and to defend their rights to visible social functions.¹ This change provoked a reaction both in England and on the continent: legal restrictions were imposed on women which limited their marriage freedom, reduced their wages and guilds, and undermined their prospects in farming and commerce. Furthermore, there was a consistent effort in the sixteenth and the seventeenth centuries to "police" the female, in her apparel, speech and demeanor. The female was to be monitored—and if need be, chastised.²

In order to realize this goal, English writers began to look outside their own Euro-centric and Christo-centric civilization for supporting models. Having repeatedly invoked the vast European *corpus* of writings about women,³ they sought not so much manuals or texts about the female role, but actual accounts and examples of women who were continuing to abide by the medieval model of "chastity, humility, piety, and patience under suffering and wrong."⁴ They hoped that, as they turned to civilizations which were militarily powerful and culturally advanced, they would prove to their readers that their demands for a more subordinated role for women were in keeping with other peoples of the world—that women who were seeking change were no better than a "monstrous regiment."

The civilization that caught the attention of European and, in particular, English writers in regard to the status of women was the Islam of the Ottoman-Turkish Empire. As Englishmen traveled in the domains of Islam recording observations about Muslim religion, culture and social custom, they noted the differences between England and the world of Islam in the status and role of women. For what they saw among the Muslims in

¹ Merry E. Wiesner, "Women's Defence of Their Public Role," in *Women in the Middle Ages and the Renaissance*, ed. Mary Beth Rose (Syracuse: Syracuse University Press, 1986).

² Norbert Elias, "The History of Manners," vol. 1 of *The Civilizing Process*, trans. E. Jephcott (New York: Pantheon, 1978); Peter Stallybrass, "Patriarchal Territories: The Body Enclosed," in *Othello: Critical Essays*, ed. Susan Snyder (New York and London: Garland Publishing Inc., 1988), pp. 251-79.

³ Ruth Kelso, *Doctrine for the Lady of the Renaissance* (Urbana: University of Illinois Press, 1956), pp. 326-462.

⁴ *Ibid.*, p. 36.

terms of the subjugation of women differed widely from the libertinism which they feared among English women in a period of political and economic unrest. For some of these English writers, along with continental writers whose works were appropriated into English, it was a happy coincidence that simultaneous with the policing effort at home, they came across the model of female docility among the Muslims. They described in detail how women were treated among the "Turks" (used synonymously with Muslims), thereby proposing that English women should be treated similarly; they also satirized the behavior of women in England. Muslim women were presented as both the foil for English women and the hoped-for model in Christendom.

The most distinctive feature about women in the Ottoman Empire was their familial submissiveness and their separation from political and religious affairs. This feature captured the approving eye of Alexander Ross who praised the Turks for being "more modest in their conversation generally than we; Men and Women converse not together promiscuously, as among us."⁵ Clearly what prevailed among the Turks could be the model that "we" might consider: for Ross, England could learn much from the Muslims.

Comparing the social status of women among the Muslims and in England had earlier engaged the dramatist Philip Massinger. In *The Renegado*, written in 1624 and repeatedly performed, an English slave is made to reflect before the North African Muslim Queen about the differences between the status of women in England/Christendom and in the domain of Islam.⁶ The dialogue begins with the Queen complaining about the lack of freedom for women in Islam. She seems to envy her counterparts in Christendom:

... Christian Ladies liue with much more freedome
Then such as are borne heere. Our iealous Turkes
Neuer permit their faire wiues to be seene
But at the publique Bannias, or the Mosques
And euen then vaylde, and garded. (I, ii, 17-21)

Massinger derived this description of Muslim women from George Sandys' *A Relation of a Journey begun An. Dom. 1610* (1615). Sandys was the first English traveler to focus on women in the Ottoman Empire

⁵ Alexander Ross, *A View of all Religions in the World* (London: Sarah Griffen, 1663, first publ. 1652), p. 172.

⁶ Philip Massinger, "The Renegado, A Tragaedie," in *The Plays and Poems of Philip Massinger*, ed. Philip Edwards and Colin Gibson (Oxford: Clarendon Press, 1976), vol. 2.

and to provide a detailed account (along with engravings) of their social customs and behavior. In his text, Sandys showed how Turkish women never exposed their "beauties unto any, but unto their fathers and husbands,"⁷ and how they were always separated from males except for children who had not reached puberty. Sandys did not find the restrictiveness of the Muslim women's lives objectionable and emphasized that women accepted this mode of conduct because they were obedient to the "Alcoran" which had forbidden them to do otherwise. Because of their religious piety, Muslim women were morally and socially chaste.

Massinger contrasted this description of Muslim women with English women. Although the Queen, Donusa, spoke jealously of Christian women's freedom, she soon found out where that freedom led, for her renegade English interlocutor, Carazie, described to her in detail the dire consequences of what he saw as female liberation in England:

Carazie: Your [England's] Country Ladies
 Haue libertie to hauke, to hunt, to feast:
 To give free entertainment to all commers,
 To talke, to kisse, there's no such thing knowne there
 As an Italian girdle. Your Cittie Dame
 Without leaue weares the breaches, has her husband
 At as much command as her Prentice, and if need be
 Can make him Cuckold by her Fathers Coppie.

Donusa. But your court Lady?

Carazie. She, I assure you Madame,
 Knows nothing but her will (I, ii, 28-38).

Because English women were free to do what they wanted, they disrespected their husbands and made cuckolds of them: the social freedom which Donusa admired in Christian women was leading to moral degeneration which did not occur where women were confined to their quarters. In satirizing English conditions, therefore, Massinger was showing that the price of women's freedom in England was family disorder. In 1609, William Biddulph had written in his travelogue through the Ottoman Empire that if women in England were treated as they were among the Turks, they would be "more dutifull and faithfull to their husbands;"⁸ Sandys confirmed how the Turkish woman was faithful to her husband

⁷ George Sandys, *A Relation of a Journey begun An. Dom. 1610* (London: Andrew Crooke, 1615), p. 69.

⁸ William Biddulph, *The Travels of certain Englishmen into Africa, Asia, Troy, Bythinia, Thracia, and to the Blacke Sea* (London: Th. Haueland, 1609), p. 86.

and gave "him the reuerence of a maister."⁹ Turkish women did not seek, as English women did, lovers or "libertie" or "a priuate friend," as Carazie observed (I, ii, 45): they were decent women who kept their place—both in society and inside the house.

This praise of the docile Muslim woman was shared by continental writers whose works were translated into English in this period. Joannes Boemus, writing in *The Manners and Customes of all Nations*, noted that in the domains of Islam, women did not "come where a company of men be gathered together." Even during prayer, he added, women were separated from men, and it was viewed as "monstrous" among the Muslims should a man ever "sit or ride with a woman" in public.¹⁰ While in England women mixed with men not only during prayer time (except among some fringe Protestant sects which segregated the sexes), but used the church as a place of assignation and conversation, among the Muslims the mosque confirmed the separation of men from women. In *The Estates, Empires, & Principallities of the World*, Edward Grimstone translated from the French original by Michel Baudier how Turkish women "neuer come into the place where men are assembled together."¹¹ Among the Muslims, men and women kept their distance.

Because Muslim women respected their husbands, they did not "play false" with them, wrote Boemus.¹² For Christian writers there were evident moral advantages in imposing on women the Muslim model. It was not that Christian women were more untrustworthy than their Muslim counterparts: with unusual psychological insight, Grimstone had observed that some Muslim women tried to indulge in sexual liaison, but found that their enclosure physically prevented them from causing their husbands "disgrace and dishonour."¹³ For, he wrote, "if they 'Turkish women' had a will, as many times they haue without question, yet can they by no means effect or compasse the same." All women, Christian and Muslim alike, could prove untrustworthy, but only the Muslims had found a way to circumvent women's wiles. The separation between men and women among the Muslims preserved family honor and dignity. Robert Burton, who drew on Boemus, explained that the deceptiveness of women provoked the jealousy of their husbands which led to male authority. In "Greece, Spain, Italy, Turkey, Africa, Asia, and generally over all those hot countries," he wrote, husbands try to keep their wives away from all communication

⁹ Sandys, *A Relation*, p. 55.

¹⁰ Joannes Boemus, *The Manners and Customes of all Nations*, trans. Edward Aston (London: n. p., 1611), p. 148.

¹¹ Edward Grimstone, *The Estates, Empires & Principallities of the World* (London: A. Islip, 1615), p. 949.

¹² Boemus, *The Manners*, p. 149.

¹³ Grimstone, *The Estates*, p. 949.

with men lest they prove unfaithful to them.¹⁴ Although Burton condemned the restriction of women, he recognized its efficacy—but only in hot countries: had England had a similarly hot weather, a similar subjugation might have been needed.

Part of the debate about the status of women in the English Renaissance focused on the theories used to legitimate female subordination. One of the numerous controversies over women appears in the dialogue between Carazie and Queen Donusa, where Massinger reflected on whether the subservience of Muslim women and, by the same token, the libertinism of English women was a result of nature or nurture. Sandys showed that Muslim women were happy in their lives because they were fulfilling their duties as women. "All that is required at their hands is to content their husbands, to nurse their owne children, and to liue peaceably," he wrote.¹⁵ The role of women was dictated by their functions, and those functions, for him, were "natural." Massinger's Muslim Queen, however, thought that her subservience was a matter of custom instituted by her tyrannical husband: by arguing that subordination was a result of nurture, she was echoing arguments that had earlier appeared in such English drama as Beaumont and Fletcher's *Love's Care, or The Martial Maid* and in the *Hic Mulier* polemic.¹⁶ Carazie's answer to the Queen in the dialogue suggests that if custom is to be responsible for the female role, then custom would inevitably lead women to libertinism: indeed, because English women, unlike their Muslim counterparts, have allowed custom to subvert nature, they have become immoral. Massinger, taking a conservative position in this debate, was linking custom to nature: but the link was destructive since custom wrought havoc on women's inherently degenerate nature.¹⁷

Another characteristic of Muslim women which Christian writers admired was the limited expenses which they incurred on their husbands. The Scottish traveller William Lithgow praised some women whom he had seen while crossing to Cairo because they had resumed work immediately after childbirth: they had "none of our wives' sugared sops, burnt wines, venison pasties, and great putting their husbands to incompatible

¹⁴ Robert Burton, *The Anatomy of Melancholy*, ed. Holbrook Jackson (London: J. M. Dent & Sons, 1977), III, p. 283.

¹⁵ Sandys, *A Relation*, p. 67.

¹⁶ R. Valerie Lucas "Hic Mulier: The Female Transvestite in Early Modern England," *Renaissance and Reformation*, New Series 12 (1988) pp. 65-84.

¹⁷ Robert Burton quoted the Athenian physician Hippocrates that women "were bad by nature, and lightly given all, and if they be not curbed in time, as an unpruned tree, they will be full of wild branches, and degenerate of a sudden." There was need to "prune" women and confine them in their natural place within the physical order, lest they "degenerate": "and no question," added Burton after recalling Clytemnestra, "there be too many 'women' of her conditions." For him, women's nature was degenerate and custom worsened that degeneration. Burton, *Anatomy*, III, p. 269.

charges."¹⁸ Women in Scotland and England were clearly becoming too spoilt and, after childbirth, financially insupportable. In 1603, the author of the widely popular *The Bachelor's Banquet* (possibly Thomas Dekker) had declaimed against the "cares and troubles . . . 'and' great cost" generated by "The humor of a woman lying in childbed."¹⁹ While Muslim women were frugal in their requests, English women were voracious. Furthermore, Muslim women, even at the highest level of power, both in Turkey as well as among the Moors of North Africa, nursed their own children: Sandys, Henry March and the West Barbary chaplain Lancelot Addison noted how the Muslim mother abhorred "that unnatural pride of suckling 'their children' with other breasts, while her own are sufficient for that affectionate service."²⁰ Meanwhile, English (and continental) women so preferred to hire nurses (at great expense) that by the end of the century, Henry Newcome composed a whole treatise on *The Compleat Mother. Or An Earnest Perswasive to all Mothers (especially those of Rank and Quality) to Nurse their own Children* (1695). Muslim women nursing their babies were clearly a laudable model because they showed the prevalence of nature over bad social habits.

English women were also becoming so extravagant in artificial beautification that there grew an extensive *corpus* of writing in Renaissance England about the uses and abuses of cosmetics.²¹ "Look on beauty, And you shall see 'tis purchas'd by the weight," wrote Shakespeare in *The Merchant of Venice*.²² English women were using excessive makeup while Muslim women were acclaimed by Christian writers for their simple and natural beauty. "They be women of elegant beauties, for the most part ruddy, cleare, and smooth as the polished iuory," wrote Sandys.²³ The makeup they used was dignified because it did "not disgracefully" stain them. In Thomas Heywood's *The Fair Maid of the West II*, the Muslim Queen tells an English eunuch about facial makeup:

Tota. We wear none but that which nature hath bestowed on us
and our births give us freely.

¹⁸ William Lithgow, *The Rare Adventures and Painful Peregrinations of William Lithgow*, ed. Gilbert Phelps (London: Folio Society, 1974), p. 164.

¹⁹ *The Bachelor's Banquet*, ed. Faith Gildenhuis (Ottawa: Dovehouse Editions Inc., 1993), p. 61.

²⁰ Sandys, *A Relation*, p. 67; Henry March, *A New Survey of the Turkish Empire* (London: J. Best, 1664, first publ. in 1633), p. 15; Lancelot Addison, *West Barbary, or A Short Narrative of the Revolutions of the Kingdoms of Fez and Morocco* (Oxford: The Theater, 1671), p. 194.

²¹ Carroll Camden, *The Elizabethan Woman*, rev. ed. (Mamaroneck, N.Y.: Paul P. Appel, 1975), chapter 7.

²² William Shakespeare, "The Merchant of Venice," in *The Complete Oxford Shakespeare*, ed. Stanley Wells and Gary Taylor (Oxford: Oxford University Press, 1986), III. ii, pp. 88-9.

²³ Sandys, *A Relation*, p. 67.

Clem. And our 'English' ladies wear none but what the shops yield
and they buy for their money.²⁴

There was an unaffected beauty among Turkish women which was expensively absent in England. Furthermore, women in England were challenging both their social and their sexual status by the vulgar attire they wore. Massinger had referred in the dialogue between Donusa and Carazie to women wearing the "breeches." This allusion to "breeches" was in direct reaction to a growing revulsion in England between the 1570s and the 1620s at the sight of "masculine-feminines." Evidence both in pamphlets as well as in drama of the presence of such women was so extensive that King James I felt compelled to initiate a campaign against such behavior. Muslim women, meanwhile, were praised by Boemus because they were "very decent in their apparell," always covering their faces until they came "into their husbands presence at home."²⁵ Among the Turks, there were no women challenging the social norms of dress. Indeed, it was noted by Grimstone, that Turkish women were "modest in their garments, and they are commonly so well fitted and made, as a man cannot behold any thing more modest and comely;" women going outside the house, wrote Sandys, dress in "long gownes of violet cloth" because their "Alcoran" forbids them from displaying "their beauties vnto any, but vnto their fathers and husbands."²⁶ Turkish women kept their beauty and elegance exclusively for the indoors.

All the above authors shared in the Christian need to assert male ascendancy over women and all concurred in praising the unchallengeability of the Muslim model. For as the Turkish armies pushed into central Europe, Christian writers began to credit the military power of Muslims to their ascendancy over their women. They praised the docility and subjugation which Muslim men imposed on the woman even when they feared the religious and military culture of their enemies. Much as Boemus was emotional in his castigation of Islam, and much as he registered anxiety over the expanding empire of the Turks—he was, after all, writing in the first half of the sixteenth century—he praised the Turkish husbands who "neuer remitte the least iot of their authoritie ouer their wiues, neither will the wiues omit their obedience towards their husbands."²⁷ Grimstone favorably recorded how the Turkish husband "doth euer retaine the same seueritie and grauitie towards his wife, who likewise failes not to beare

²⁴ Thomas Heywood, *The Fair Maid of the West Parts I and II*, ed. Robert K. Turner, Jr. (Lincoln: University of Nebraska Press, 1967), ll. 86-9.

²⁵ Boemus, *The Manners*, p. 148.

²⁶ Grimstone, *The Estates*, p. 948; Sandys, *A Relation*, pp. 68-9.

²⁷ Boemus, *The Manners*, p. 148.

her selfe verie respectiuey and humbly on his behalfe."²⁸ Although such a status for women in the Muslim dominions may have been instrumental in the decline of Ottoman power after the seventeenth century, as Bernard Lewis has argued,²⁹ it is important to note that contemporary writers in England and elsewhere in Christendom did not make that link at all: for them, the Muslim woman was to be the model in their society.

By the second half of the seventeenth century, English writers and travelers began to realize that English women could never be moulded like their Muslim counterparts. The pace of change in the Restoration's society and family status of women was so fast that there could be no place for the docile women of Islam. Furthermore, the might of the Turkish empire was beginning to wane as English and French navies successfully confronted the Muslims in the Mediterranean. Still, some travelers continued to admire what they viewed as the laudable and worthy model of Muslim women but, simultaneously, they started viewing those women from the perspective of the exotic, implicitly admitting thereby not only their inability to understand Muslim social custom, but also the changes occurring at home. For as Urs Bitterli has shown, the appeal to the exotic invariably serves to associate the one who is exoticized with the wondrous and the unreal.³⁰

The use of the exotic signals the beginning of the separation in the minds of writers between English and Muslim women. This separation, however, was not predicated on the difference in social history between the two groups, but on the unbridgeability of what English authors idealized as perfect images of Muslim female docility and what they saw at home as unrestrained change in women's roles. The Muslim model became exotic and "Utopian" because it was not possible at home. A clear example of this exoticism appears in Lancelot Addison's description of the Muslim/Morisco "manner of wooing, marriage."³¹ In his *West Barbary, or A Short Narrative of the Revolutions of the Kingdoms of Fez and Morocco*, the Anglican chaplain observed that Muslim men did not see their spouses before marriage. This social custom, he found, went against the practice of Thomas More's "Utopians" among whom women were carefully examined before marriage to ensure their physical fitness. The Uto-

²⁸ Grimstone, *The Estates*, p. 949.

²⁹ Bernard Lewis, *Cultures in Conflict: Christians, Muslims and Jews in the Age of Discovery* (New York: Oxford University Press, 1995), ch. 1 passim.

³⁰ Urs Bitterli, *Cultures in Conflict: Encounters between European and Non-European Cultures, 1492-1800*, trans. Ritchie Robertson (Stanford: Stanford University Press, 1989), p. 9.

³¹ Addison, *West Barbary*, p. 179.

pians, recalled Addison, "think it very unreasonable that a man should take a wife with less scrutiny than he doth his horse." Muslims, however, did not emulate the Utopians of Thomas More, but those of Sir Francis Bacon. For in "Bensalem," there is a pool where "it is permitted to one of the Friends of the man, another of the woman, to see them severally both naked."³² For Addison, the marital customs of the Moors could only be understood by reference to Bacon's New Atlantis and its Bensalemite society which was not of the future, but of nowhere. The way in which women were treated among the Muslims could only compare with imaginary domains and unreal worlds.

This application of the utopian/exotic on Muslim women reveals the chasm separating the English writer from the Muslim reality. Only by looking at Muslim women through the perspective of utopian fiction could he now make sense of them. Muslim women, whom earlier travelers and dramatists had invoked as a model, were now only a model in "Utopia": they had lost their reality and had become totally inaccessible to the English Christian viewer. They were women of nowhere and therefore with a "nowhere" application—least of all in England. Ironically, however, the only place where they were still real was in that harsh and complex world of the harem. The isolation of Muslim women, and their utopian world of separation from the eyes and society of men, which seemed impossible within the Euro-Christian discourse about women, was realized in the harem, that institution which flourished from the end of the sixteenth century on. Since Muslim women lived in a utopian world of separation, and since the harem was just that world of separation, then utopia was the harem.

Although English travelers knew how women were brutally forced into the harem and isolated from the outside world, they did not advance any criticism of the institution as such. Rather they seemed to have been fascinated by it. The Smyrna consul Paul Rycaut, whose writings had tremendous impact on the perception of the Ottoman Empire in Restoration and eighteenth-century England, contrasted the institution of the harem with what he believed were irrational Christian norms governing the relationship of the sexes. After he mentioned how the harem women were "treated, immured, educated and prepared for the great achievements of the Sultans affections," he added: "As in other stories the Knight consumes himself with combats, watching, and penance to acquire the love of one fair Damosel; here an Army of Virgins make it the only study and business of their life to obtain the single nod of invitation to the Bed of their great Master."³³ For Rycaut, European medieval and contemporary romances

³² *Ibid.*, p. 181.

³³ Paul Rycaut, *The Present State of the Ottoman Empire Containing the Maxims of the Turkish Politie* (London: John Starkey, 1668), p. 69.

with their image of an apotheosized woman pursued by a multitude of desperate men happily gave way in the Ottoman dominion to numerous women awaiting the pleasure of a single man. The "Romance" idea of the woman imposing her will in Christendom was satisfactorily off-balanced for Rycaut by the harem women most of whom had no will at all.

The image of women having to strain and strive in order to win the "Signiors affection" appealed to Rycaut. The Consul believed that women liked to be in the harem because they knew that if they mastered music and dancing well, they might win "the Sultans affections."³⁴ Rycaut saw no violence in the conditions he was describing because he believed that the Sultans were not insensitive to their harem. In this context, Rycaut repeated an episode about the Ottoman Emperor Solyman which numerous writers had earlier recorded. It told how the Emperor had once refrained from exercising his power over a woman because of the prohibition of religious authority. Not only did Solyman show restraint, but respect to divine injunction. "Now I neede not," commented R. Carr who had told this same story in 1600, "to recount, how Christians carry themselves in the like cases, least I further exulcerate those wounds by handling, which I am sure by admonishing will not be cured."³⁵ For Carr as for Rycaut and others, there was a lesson to be learned by Christians from the Muslim ruler who showed restraint in dealing with women.

It is difficult to overestimate the impact of *The History of the Turkish Empire* on English sensibility. It was a classic which was widely read and repeatedly printed, and which fashioned the English representation of the women of Islam. What is disturbing, however, about this representation is that it was made by Rycaut without any personal verification. Rycaut admitted that he had never been inside the harem,³⁶ but readers did not seem to mind this lack of accuracy and rather liked the image which had been assembled from hearsay. As a result, and thanks to him, the harem was transformed in English imagination from a place of incarceration to an exotic and romantic domain for women.³⁷ This representation of harem women gained momentum throughout Europe, and in 1688 an English translation from French was published of *The Turkish Secretary, Containing The Art of Expressing ones Thoughts, without Seeing, Speaking, or Writing to one another* (1688). The tone of the preface to the reader exudes with levity and lightness: all books about the Turks tell of "Policy, Fire and Sword," but this treatise would tell of love. The author eagerly

³⁴ *Ibid.*, p. 70.

³⁵ R. Carr, *The Mahumetane or Turkish Historie, containing three Bookes* (London: T.N., 1600), p. 117.

³⁶ Rycaut, *The Present State*, p. 69.

³⁷ Anonymous, *The Turkish Secretary, Containing The Art of Expressing ones Thoughts, without Seeing, Speaking, or Writing to one another* (London: J. B., 1688), p. 2.

assured the readers that much as Turkish women were restricted in communication and movement, they were "not insensible" to love. And in order to fulfil their "hot" desires, they resorted to "Projects and Enterprizes": they used codes based on "Flowers, Fruits, Woods, Odoriferous Simples, Silks, Gold, Silver, Colours, Stuffs."³⁸ The author portrayed Turkish women as shrewd and imaginative: because of their impossible social conditions—married early to men they did not know, confined and treated as property—they relied on symbols and ciphers to convey their emotions and fulfil their "Amours." In the "Catalogue" that followed the introduction, the author listed numerous examples of Turkish women's codes: a violet meant "Let me partake of your Caresses," while a half-nut informed the lover that "We are broke off." For the author, women in the domain of Islam were living in excitement and romance as they devised the most ingenious means to get round their social confinement and reach the men of their passion.³⁹

The author found in the excitement of Turkish women much to marvel at: for the secrecy and danger of their love was definitely a world apart from the freedom and openness with which European women at the end of the seventeenth century pursued their desires. But neither the French author nor his English translator was now looking at Turkish women as models for Christendom: that would have been impossible in a period when women were ruling kings, courts and cardinals. The Turkish harem and the style of life within it were to be described and observed as exotic phenomena: they belonged to a world not even remotely related to Christian Europe.

Throughout this period under study, significant changes had been occurring in England in women's public roles. Some women had been leaving the domesticity of their homes to become male-like figures in their autonomy and demeanor,⁴⁰ while others were attacking in pamphlets male chauvinism and defending the status of women.⁴¹ During the English revolution in the mid-seventeenth century, many women rebelled against the religious hierarchy and replaced men as preachers and pastors.⁴² So many were the changes taking place in the role of women that English men

³⁸ *Ibid.*, pp. 35-6.

³⁹ Such an attitude has continued into the twentieth century: in *The Harem* (London: Spring Books, 1936) N. M. Penzer stated that for some women, the harem "was also the place of intrigue, opportunity, luxury, and riches," p. 185.

⁴⁰ Camden, *The Elizabethan Woman*, pp. 263-7.

⁴¹ Simon Shepherd, ed., *The Women's Sharp Revenge* (New York: St. Martin's Press, 1985).

⁴² Keith Thomas, "Women and the Civil War Sects," in *Crisis in Europe, 1560-1660*, ed. Trevor Aston (Garden City, N. Y.: Doubleday, 1967).

urgently sought to reinforce, as Lawrence Stone has stated, "the authority of the father and husband within the family:" for them "the authoritarian family and the authoritarian nation state were the solutions to an intolerable sense of anxiety, and a deep yearning for order."⁴³

It was as a result of this anxiety that the representation of Muslim women was invoked. Reticence, obedience, frugality, modest apparel and behavior were the characteristics of women that English and continental writers chose to see in the domain of Islam: by satire and direct example, English writers and travelers argued that the Turkish model was better than the Christian and should be tried in Renaissance Christendom. Although Englishmen and Muslims differed in theology and military ideology, one of the curious occasions in the early Renaissance where they saw eye to eye with each other was in the representation of Muslim women.

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⁴³ Lawrence Stone, *The Family, Sex and Marriage in England, 1500-1800* (Harper: New York, 1979), pp. 145-6.

FIQH AND ADAPTATION TO SOCIAL REALITY

Introduction

In addition to attempting a general survey of *fiqh*, this essay formulates a response to the basic question whether Islamic law has the capability and resources, and if so of what kind, to accommodate social change. The essay is presented in eight parts. The initial two sections address the definition of *fiqh* and *shari'ah* and delineate the salient differences between them. The third section briefly looks into the history of *fiqh*, and this is followed by a description of the major themes and subject matter of this discipline. Section five addresses the methodology and sources of *fiqh* and the formulae that are devised for the deduction of the rules of *fiqh* from their sources. The next section develops the theme that the textual sources of *fiqh*, namely the Qur'an and Sunnah, integrate a certain degree of flexibility within the fabric of their laws and remain open to the possibilities of interpretation and *ijtihad* (independent reasoning). Section seven discusses recent developments and measures that are taken to facilitate easy access to the source materials of *fiqh*; it also describes recent reforms, introduced in many Muslim countries, that represent new developments in *fiqh*. The last section attempts a brief discussion of *ijtihad* in the context of modern statutory legislation and explores the ways as to how the resources of *fiqh* and *ijtihad* could more effectively be utilized in the on-going efforts at legal reconstruction and reform.

I. Definition

Literally '*fiqh*' means knowledge or understanding especially of that which is not self-evident and requires a certain degree of intellectual exertion to comprehend. It is defined as knowledge of the practical rules of *shari'ah* which are deduced from their particular (*tafsili*) evidence in the sources. The revealed sources of *shari'ah*, namely the Qur'an and Sunnah, provide the basic evidence from which the rules of *fiqh* are deduced through the application of juristic reasoning and *ijtihad*. The use of reasoning as a precondition here precludes knowledge of the obvious rules of *shari'ah*, such as the number of daily prayers, from the purview of *fiqh*. It also precludes revealed knowledge such as the knowledge of the Prophet, as well as the knowledge of a total imitator (*muqallid*) which does not involve understanding through the application of reason.

To say that *fiqh* is concerned with the practical rules of *sharī'ah* means that the rules of *fiqh* relate to the conduct and daily activities of the individual and this would preclude the knowledge, for example, of dogmatic theology (*uṣūl al-dīn*) as well as knowledge of the methodology and sources of *fiqh* (*uṣūl al-fiqh*), from the definition of *fiqh*. The practicalities of conduct are evaluated on a scale of five values ranging from the obligatory (*wājib*) to recommendable (*mandūb*), permissible (*mubāḥ*), reprehensible (*makrūh*) and forbidden (*ḥarām*). To say that the practical rules of *fiqh* are deduced from the source materials of *sharī'ah* means that the rules of *fiqh* may not be obtained from non-*sharī'ah* sources such as mathematics and history. Deducing the rules of *fiqh* from the detailed evidence in the sources also implies direct contact with the source materials of *sharī'ah* and the ability to carry out *ijtihād*. When a *faqīh* (one who is learned in *fiqh*) fulfils the requirements of this definition, he or she is according to the *‘ulamā’* of *uṣūl al-fiqh*, in the meantime a *mujtahid* (one who is able to conduct *ijtihād*). The *‘ulamā’* of *uṣūl* have thus equated the *faqīh* and *mujtahid* to one another. The *‘ulamā’* of *fiqh* on the other hand include in the definition of *faqīh* one who acquires knowledge of the practical rules of *sharī'ah* even without the ability to deduce them directly from their sources.¹

II. *Sharī'ah* and *Fiqh*

Sharī'ah is often used interchangeably with *fiqh*. However, there are differences between them which have often been ignored. As can be seen from the definition of *fiqh*, is a derivative knowledge which obtains its substance from the *sharī'ah*. Since *fiqh* consists of knowledge of the practical rules of *sharī'ah*, these rules must necessarily precede *fiqh*. *Sharī'ah* may be defined as the totality of guidance that God has revealed to the Prophet Muḥammad pertaining to the dogma of Islam, its moral values and its practical legal rules. *Sharī'ah* is thus a broader concept which comprises in its scope not only the practical legal rules of *fiqh* but also dogmatic theology (*‘ilm al-kalām*) and moral teachings (*‘ilm al-akhlāq*). Dogmatic theology is mainly concerned with belief (*‘aqidah*) in the fundamentals of Islam and a sense of enlightened conviction in its values. *‘ilm al-akhlāq* educates the individual to exercise self-discipline and restraint in the fulfillment of natural desires and inculcates a sense of commitment to

¹ Sayyid al-Sharīf al-Jurjānī, *Kitāb al-Ta‘rīfāt* (Istanbul, al-Astanah, 1327 H), p. 222; Sayf Dīn al-Āmidī, *Al-Iḥkām fī Uṣūl al-Aḥkām*, ed. ‘Abd al-Razzāq ‘Afīfī, 2nd ed. (Beirut: Al-Maktab al-Islāmī, 1402/1982), I, p. 5; Muḥammad Muṣṭafa Shalabī, *Al-Fiqh al-Islāmī Bayn al-Mithālīyyah wa’l-Waḡī‘īyyah* (Beirut: Al-Dār al-Jamī‘īyyah li’l-Tabā‘ah wa’l-Nashr, 1402/1982), p. 112; ‘Umar Sulaymān al-Ashqar, *Tārīkh al-Fiqh al-Islāmī* (Beirut: Maktabah al-Falāḥ, 1402/1982), p. 16.

moral virtue. The *ʿulamāʾ* are, generally, in agreement on the primacy of *ʿaqidah* and *akhlaq*; by comparison to these, *fiqh* is a mere superstructure and a practical manifestation of the dogma and morality of Islam.²

Fiqh and *shariʿah* are interrelated as they both originate in the same sources, namely the Qurʾān and Sunnah, the main difference between them being that *shariʿah* is founded in divine revelation (*wahy*) whereas *fiqh* is a product largely of the juristic interpretation of scholars and their understanding of the general guidance of *wahy*. *Shariʿah* lays down the basic structure of values and *fiqh* extends the general guidance and message of *shariʿah* to issues which have not been regulated in the Qurʾān and Sunnah. The rules of *fiqh* thus occur in two varieties: Firstly, rules which are founded in clear textual injunctions, such as rules pertaining to the essentials of worship, rules that prohibit marriage between close relatives and rules that apply to criminal conduct such as murder, adultery and theft. This part of *fiqh* is simultaneously a part of the divine *shariʿah*. Secondly rules which are deduced through intellectual exertion and *ijtihād*, these are not necessarily a part of the *shariʿah* and a *mujtahid* who has reason to depart from it in favor of an alternative ruling may do so without incurring a transgression. *Fiqh* develops the *shariʿah* in light of the changing conditions of society through the modality of *ijtihād*, but the harmony of *fiqh* and *ijtihād* with the principles of *shariʿah* is not always certain. Only when the ruling of *ijtihād* is supported by general consensus (*ijmāʿ*), or by the ordinance of the lawful government and the *ulū al-amr* does that ruling acquire the binding force of *ḥukm shariʿah* (valid ruling of *shariʿah*). It thus appears that the clear injunctions of the Qurʾān and Sunnah on the *ḥalāl* and *ḥarām* constitute the common feature of both *shariʿah* and *fiqh*. But *fiqh* is an embodiment largely of speculative thought and *ijtihād*, and it is, as such, an open and unfinished chapter of the *shariʿah* that is amenable to further development and growth.³

ʿAllāma Mawdūdī has described the *shariʿah* as 'the supreme law' that is contained exclusively in the Qurʾān, and the teachings of the Prophet, that is his Sunnah, which explains and clarifies the Qurʾān. "The Sunnah together with the Qurʾān constitutes the *shariʿah*."⁴ Mawdūdī has evidently precluded the juristic legacy of *fiqh* from the purview of *shariʿah*. Muḥammad Asad has even further confined the scope of *shariʿah* by saying that it consists only of the clear injunctions of the Qurʾān and Sunnah, which are expounded in positive legal terms, known as the *nusūṣ*.

² Cf. ʿAbd al-Karīm Zaydān, *Al-Madkhal li-Darāsah al-Shariʿah al-Islāmiyyah*, 8th ed. (Baghdad: Maktabah al-Quds, 1405/1985), p. 39; Muṣṭafa Aḥmad al-Zarqā, *Al-Madkhal al-Fiqhī, al-ʿAm* (Damascus: Dār al-Fikr, 1968), I, p. 29.

³ Cf. Abū Ishāq Ibrāhīm al-Shāṭibī, *Al-Muwafāqāt fi Usūl al-Shariʿah*, ed. Shaykh ʿAbd Allah Dirāz (Cairo: Al-Maktabah al-Tijāriyyah al-Kubra, n. d.), I, p. 31; Zaydān, n. 2, p. 66.

⁴ S. A. Mawdūdī, *The Islamic Law and constitution*, 5th ed. (Lahore: Islamic publications Ltd., 1974), p. 69.

It is the *nusûs* of the Qur'ân and Sunnah which constitute "the real eternal *shari'ah*."⁵ Muḥammad Khidr al-Ḥusayn, the late Shaykh of Al-Azhar, concurred with the substance of this analysis when he wrote that the *shari'ah* has enacted a certain number of clear and specific rules; as for the rest, it has provided general guidelines and methods for the qualified scholar and *mujtahid* to deduce the rules of law in relationship to particular issues.⁶

In view of the rapid pace of developments in science and civilization, the need is evident for widening the scope of new research in *fiqh*, which might mean, in turn, that the speculative and changeable dimension of *fiqh* is likely to expend even further. The proximity or otherwise of future development in *fiqh* to the basic guidance of *shari'ah* will remain to be seen as the criterion of its validity, and the emphasis is likely to be more on the basic objectives and values of *shari'ah* rather than on technical conformity to its letter. But continuity of values on the one hand and accommodation of necessary changes on the other will remain to be the common concern of both *shari'ah* and *fiqh*.

III. An Historical Sketch

The history of Islamic law is, in a real sense, a history of *fiqh*, rather than that of *shari'ah*, for the latter is basically ahistorical as its revelation began and came to an end during the lifetime of the Prophet. *Fiqh* did not exist during this period, which might explain why the distinction between *shari'ah* and *fiqh* is a relatively late development. The two terms were initially synonymous and although a distinction was subsequently made between them, *shari'ah* remained the dominant influence which often subsumed and overshadowed the *fiqh*. For about a century following the demise of Prophet (632 A.D.), the word '*fiqh*' was vaguely being used in reference not only to legal rules but also to dogmatic theology, *Ḥadīth*, *tafsīr* and mysticism. The emphasis in the initial stages of Islamic scholarship was neither on *shari'ah* nor on *fiqh* as such but on reading and memorizing the Qur'ân and the transmission and preservation of *Ḥadīth*, and it is the *Ḥadīth* which began to be the principal preoccupation of the '*ulamā*'. This is perhaps indicated by the fact the some of the earliest works on record, such as the *Muwaffa'* of Imām Mālik (d. 179/795) has often been characterized as a work of *Ḥadīth* rather than *fiqh*. *Ḥadīth* continued to be the main focus of attention during the third century Hijrah, even in preference to *tafsīr*. Note for example that the first major work

⁵ Muḥammad Asad, *The Principles of State and Government in Islam* (Los Angeles: California University, press, 1961), p. 14.

⁶ Muḥammad Khidr al-Ḥusayn, *Al-Shari'ah al-Islāmiyyah Salihah li-Kull Zaman wa Makan*, ed. Alī Ridā al-Tunisi, (Damascus: Al-Matba'ah al-Ta'awuniyyah, 1391/1971), p. 58.

on *tafsīr* (that of al-Ṭabarī) was completed at around the early fourth century Hijrah. According to Ibn Khaldūn, the activity of extracting rules pertaining to the conduct of the *mukallaf* (legally competent person) from the sources of *sharī'ah* was called *fiqh* but persons who did this were initially known as '*al-qurrā'*' (readers) as distinguished from those who could not read the Qur'ān. Then literacy and knowledge of the Qur'ān became widespread and the designation '*al-qurrā'*' gave way to '*al-fuqahā'*'.⁷ *Fiqh* in the early period referred to the knowledge of religion in general and the distinction in its definition which confined *fiqh* to the practical legal rules of *sharī'ah* was made by the '*ulamā'*' of the later periods, that is after the establishment of the schools of law. This was a result partly of the efflorescence of during the era of *ijtihād*, which was in turn stimulated by the documentation of *Ḥadīth* and the extensive material that was consequently made available for new developments in *fiqh*. In his renowned work *al-Fiqh al-Akbar* (the greater *fiqh*) we note that Imām Abū Ḥanīfah (d. 150/767) mainly discussed dogmatic theology and devotional matters and yet be designated his work as 'the greater *fiqh*.' On a similar note, Abū Ḥanīfah defined *fiqh* as "the individual's knowledge of his own rights and obligations." This definition once again did not confine the scope of *fiqh* to practical legal rules pertaining to conduct but tended to have a wider application.

Fiqh has undergone various phases of development and decline which may be summarized into six: In its initial phase, that is the prophetic period (c. 610-632 C.E.) the Qur'ān was revealed and the Prophet enhanced its knowledge through his own teaching and Sunnah which laid down the rudiments of the legal science of *fiqh*. But this period saw little if any development in speculative *ijtihād* because the Prophet himself provided definitive rulings on issues as and when they arose—hence the redundancy of *ijtihād*.

The second period, the era of the companions (c. 632-661 C.E.), is one of interpretation and supplementation of the textual subject matter of the law and it was in this period that *fiqh* and *ijtihād* find their historical origins. Leading figures among the companions, especially 'Umar b. al-Khaṭṭāb, 'Alī b. Abū Ṭālib, 'Abd Allah Ibn Mas'ūd, 'Āishah, Zayd b. Thābit, 'Abd Allah b. 'Abbas and many others took an inherently rational and comprehensive approach toward the Qur'ān and Sunnah. Their understanding and interpretation of the text was not confined to the meaning of words but read into their underlying rationale, effective cause and purpose. Their precedent, verdict and *fatwā* is generally considered authoritative not only because they were the direct recipients of the prophetic

⁷ 'Abd al-Raḥmān Ibn Khaldūn, *Muqaddimah* (Cairo: Matba'ah al-Taḥaddum, 1322/1943), p. 353; see also al-Ashqar, *Tārīkh al-Fiqh*, n. 1, p. 14.

teachings and carriers of his Sunnah but also because of the calibre of their *ijtihād* and the liberality and latitude that they exhibited in the interpretation of *shari'ah*.

The third phase of *fiqh*, known as the era of the Followers (*tābi'ūn*) began with the coming into power of the Umayyads and terminated with the ending of that dynasty (c. 661-750 C.E.). Due to the territorial expansion of the Umayyad state, Islam came into contact with other traditions and new issues were encountered as a result which stimulated significant developments in *fiqh*. This period is marked by the emergence of two distinctive scholastic tendencies which have left a lasting impact on the subsequent developments of *fiqh*. These were the *Ahl al-Ḥadīth* (traditionist) who were centered mainly in the birthplace of Islam, namely Mecca and Medina in the Ḥijāz, and the *Ahl al-Ra'y* (rationalists) who were active in the hinterland of Islam, namely the Iraqi critics of Kūfa and Baṣra. While the former relied mainly on the textual authority of the Qur'ān and Sunnah and were averse to the use of personal opinion (*ra'y*), the latter were inclined, in the absence of a clear text, toward a more liberal use of rationality and personal opinion in the development of *fiqh*. The traditionists were opposed to taking an inquisitive approach to the understanding of the text, but the rationalists maintained that the rules of *shari'ah*, outside the sphere of devotional matters, pursued certain objectives (*maqāsid*) and were founded in identifiable causes (*asbāb wa 'ilal*) which provided the jurist with significant guidelines for further enquiry and research.⁸

The fourth phase, known as the era of *ijtihād*, witnessed major developments in *fiqh* which were manifested in the emergence of the later schools of law, namely the Ḥanafī, Mālikī, Shāfi'ī, Ḥanbalī and Ja'fari, that have survived to this day. This period it also distinguished with the burgeoning of juristic activity and compilation of prolific and voluminous writings in *fiqh*.⁹ I have highlighted the salient contributions of these schools in my discussion of the methodology and sources below.

The next phase in the history of *fiqh* began around the fourth century Hijrah and it is one of decline and imitation (*taqlīd*) in which the *ulamā'* discouraged original *ijtihād* and preoccupied themselves with elaboration and commentaries on the works of the leading Imams and scholars of the past. By far the longest in the history of *fiqh*, this period lasted for about nine centuries which witnessed the downfall of the 'Abbāsid and Ottoman empires, expansion of the military and political powers of the West, industrial revolution and colonial domination of Muslim lands by Europe-

⁸ Cf. Shalabi, n. 1, p. 199; Muḥammad Salām Madkūr, *al-Fiqh al-Islāmī*, 2nd ed. (Cairo: Matba'ah al-Fajjalah, 1955), p. 82.

⁹ Cf. Madkūr, *Al-Fiqh*, n. 8, p. 53; al-Ashqar, *Tārīkh al-Fiqh*, n. 1, p. 41 ff.

ans. The colonial powers propagated and practised their own methods and doctrines and put into effect their own legal codes. *Fiqh* as a result lost its originality and contact with social reality and underwent a most tenacious period of stagnation and decline whose negative legacy still remains to be the main challenge and preoccupation of the Muslims of twentieth century.

The last phase in the history of *fiqh* which currently continues began around the turn of the twentieth century marking the end of the long period of stagnation and *taqlid*. I have discussed the main developments in *fiqh* during this phase in a subsequent section under consolidation and reform. Suffice it here to note that this period began with a clarion call by the *ʿulamāʾ* for a return to original thinking and *ijtihād* and the quest once again to make *fiqh* a relevant proposition to the social reality and experience of contemporary Muslims. The revivification of *fiqh* and its necessary adjustment to reflect the prevailing conditions of society is generally seen as an essential component of the Islamic resurgence of the recent decades.

IV. Major Themes

The jurists are on the whole in agreement over the binary division of the rules of *fiqh* into *ʿibādāt* (devotional matters) whose principal objective is exaltation and worship of God, and earning or reward in the hereafter—and *muʿāmalāt* (civil transactions) whose main objective is realization of benefit to mankind. But the detailed arrangement and classification of subjects under these two headings, and addition of new categories beyond these, tend to vary from one *madhhab* (legal school) to another.

The Ḥanafis have classified the rules of *fiqh* into the three categories at *ʿibādāt*, *muʿāmalāt* and *uqūbāt* (penal law). Each of these are in turn subdivided into five main headings. The *ʿibādāt* thus discuss under cleanliness and obligatory prayer, fasting, legal alms, the pilgrimage of Ḥajj, and holy struggle (*jihād*). It is quite typical of almost all the major works of *fiqh* to begin with a detailed exposition of the rituals and practical rules of *ʿibādāt*. The *muʿāmalāt* are subdivided into the five headings of transactions involving exchange of values (*al-muʿāwaḍāt al-mālīyyah*), equity and trusts (*al-amānāt*), matrimonial law (*al-munākāḥāt*), civil litigations (*al-mukhāṣamāt*) and administration of estates (*al-tarikāt*). And lastly the *uqūbāt* are studied under the three headings of just retaliation (*qisās*), proscribed offences (*ḥudūd*) and discretionary penalties (*taʿzīrāt*).¹⁰

The Shāfiʿis divide the *juris corpus* of *fiqh* into four parts, namely the *ʿibādāt*, which pertain to one's well-being in the hereafter; the *muʿāmalāt*,

¹⁰ Muḥammad Amīn Ibn ʿAbidin, *Ḥāshiyah Radd al-Mukhtār ʿAla Durr al-Mukhtār*, 2nd ed. (Cairo: Mustafā al-Bāby al-Ḥalabī, 1386/1966), I, p. 56.

which relate to one's survival in this world; the *munākāhāt* which concern the survival of the species; and the *uqūbāt* which concern the survival of society and civilization.

Without entering into details, the Ḥanbalī classification of the themes of *fiqh* resembles that of the Shāfi'ī, albeit with minor differences of placing certain subheadings under a different category or context. The Mālikī jurist Ibn Juzay has subdivided each of the *ibādāt* and *mu'āmalāt* into ten titles (and two hundred subtitles), some of which are not included under either by the other schools.¹¹

Notwithstanding such attempts at classification, the *fiqh* remains, in some parts at least, to be wanting in greater consolidation of themes. Note, for example, the somewhat atomistic style in which the classical jurists have expounded the law of contract. Instead of articulating the basic principles and common themes of all contracts, the jurists have studied each contract individually. The Ḥanafī jurist, al-Kāsānī, has thus dealt with nineteen nominate contracts and the manner they are treated leaves the reader speculating as to

- (a) whether these could all be consolidated so as to highlight the features they all have in common;
- (b) whether the *fiqh* validates contracts other than these; and
- (c) whether there is a need for a general theory of contract on the basis merely of a mutual agreement that does not violate the principles of morality and public interest.¹²

Unlike the *mu'āmalāt* and *ādāt* (customary matters) which are open to rational enquiry and the application of such concepts as ratiocination (*ta'ālil*, q.v.) analogical reasoning (*qiyās*) and juristic preference (*istiḥsān*, q.v.), the norm in *ibādāt* is that the textual rulings of *sharī'ah* are followed at face value. The precise causes and rationale of *ibādāt* are only known to God and His commands and prohibitions in this area are followed as a matter of devotion and unquestioning submission to Him. The *sharī'ah* provides specific instructions on *ibādāt*, but with reference to *mu'āmalāt*, it is mainly concerned with an exposition of the basic objectives and general principles which are open to rational enquiry and often provide a starting point for further development.

¹¹ Muḥammad b. Aḥmad Ibn Juzay, *Qawānīn al-Aḥkām al-Sharī'yyah* (Cairo: 'Ālam al-Fikr, 1975) (see table of contents); 'Abd al-Wahhāb Abū Sulaymān, *Tartīb al-Mawdu'āt al-Fiqhiyyah wa Munasabatuh fil-Madhābib al-Arba'ah* (Makkah al-Mukarramah. Jāmi'ah Ummal-Qura, 1408/1988), p. 17 ff; Al-Ashqar, *Tārīkh al-Fiqh*, n. 1, p. 22.

¹² Cf. 'Abd al-Razzāq al-Sanhūrī, *Maṣādir al-Haqq fil-Fiqh al-Islāmī* (Cairo: Ma'had al-Buḥūth wa'l-Dirāsāt al-'Āliyyah, 1967), I, p. 78.

V. Methodology and Sources

Fiqh is for the most part an embodiment of *ijtihād* and its development is related in direct proportion to the exercise of original thought and independent personal opinion (*ra'y*) of the qualified *mujtahid*. To ensure propriety in *ijtihād*, the *ʿulamāʾ* developed the methodology of *uṣūl al-fiqh* which is basically concerned with the provision of a set of rational guidelines for the development of *fiqh* and the deduction of its rules from the source materials of *sharīʿah*. And yet it is ironical that the methodology of *uṣūl*, which we shall presently examine, regulated and encouraged *ijtihād* on the one hand but also set into motion a trend, almost from the outset, of increasingly subjecting *ijtihād* to a variety of restrictions. The end result of articulating an elaborate methodology was in a way self-defeating as instead of encouraging originality and envelopment, it seems to have encouraged the opposite. The so-called closure of the gate of *ijtihād* was not an unrelated phenomenon. It occurred because the *ʿulamāʾ*, for a variety of reasons, went too far on the route of technicality and literalism to develop, instead of a balanced methodology, an overimposing edifice which tended to impede rather than encourage originality in *ijtihād*.

The fact that the companions were not bound by an elaborate methodology and procedure enabled them to exercise *ijtihād* in its original and pioneering spirit. They took their lead directly from the Qurʾān and Sunnah and exerted themselves in pursuit of public benefit (*maṣlaḥah*). Their precedent and verdict (*fatwāʾ*), often arrived at through consultation and consensus, inspired respect from the next generation of *ʿulamāʾ*; the latter were often emulated, in turn, by their followers in the succeeding generation, and this paved the way for the development of *ijmāʿ* (general consensus) as the third source of law next to the Qurʾān and Sunnah. The succeeding generations of *ʿulamāʾ* (i.e. the *tābiʿūn*) further developed the existing legacy of the companions but they were faced, unlike the companions, with a more complex picture of developments. This was manifested in the territorial expansion of the Umayyad state, the influence of foreign traditions, the emergence of an exceeding plurality of schools and sects, and also of self-styled *mujtahids* of questionable competence. These developments were seen by the *ʿulamāʾ* as a threat to the unity of the *ummah* and the integrity of its *sharīʿah*—hence the need for a methodology to regulate *ijtihād*.

Although there was general agreement on the overriding authority of the Qurʾān and Sunnah, there were differences among the schools on the methods they proposed for the development of *fiqh* and the scope which they acknowledged for the use of personal opinion (*ra'y*). The *Ahl al-Hadīth* normally referred to explicit text and sought solutions to new issues through textual interpretation, but when they failed to find a text,

they tended to exercise restraint and preferred to abandon further enquiry. The *Ahl al-Ra'y*, especially the Ḥanafis, on the other hand, were inclined to extend the scope of enquiry into the rationale and purpose of the text through the modality of analogical reasoning (*qiyās*). As a method of reasoning, *qiyās* operated on the basis of an effective cause (*'illah*), which was found to be in common between an old case and a new case. The *Ahl al-Ḥadīth* did not agree at first and were critical of reliance on analogy as a basis of legislation. The debate over *qiyās* was concerned mainly with the identification of the proper *'illah* and the uncertainty that was inherent in this exercise.¹³ *Qiyās* represented a salient feature of the methodology of *uṣūl* so much so that Imām al-Shāfi'ī equated *ijtihād* and *qiyās* with one another and attempted in this way to narrow down the wider scope of *ijtihād* by identifying *qiyās* as the only valid manifestation thereof. Notwithstanding its rich contribution to the development of *fiqh*, *qiyās* was not devoid of difficulties. Even the chief protagonists of *qiyās*, namely the Ḥanafis, took the view that analogical reasoning could lead to rigidity and fail to engender fair and equitable solutions to problems. For a direct extension of a given ruling to a similar but not identical situation could lead to undesirable results. The need was thus felt for a new formula to overcome the rigidities of *qiyās*. The Ḥanafis who were the main advocates of *ra'y* and *qiyās*, also developed the doctrine of juristic preference (*istiḥsān*) which enabled the jurist and *mujtahid* to search for a more equitable solution in the event where the application of *qiyās* frustrated the ideals of equity and justice. This was often arrived at through a deeper investigation that relied either on an alternative but more subtle analogy (i.e. *qiyās khaffī*) or by making an exception to the ruling of a difficult *qiyās* in order to provide a better solution.¹⁴ But the Ḥanafis once again met with opposition and their new doctrine was often described as a form of indulgence in personal preferences. Imām al-Shāfi'ī, the leading voice of the *Ahl al-Ḥadīth*, came out strongly in support of *qiyās*, which he saw as an extension of the rulings of the Qur'ān and Sunnah to new issues, but he totally rejected *istiḥsān* and called it an arbitrary exercise that circumvented the *sharī'ah* through reliance on questionable opinions.¹⁵

Although *istiḥsān* (consideration of public interest—also known as *maṣlaḥah*) is not a scholastic doctrine per se, the Mālikī School has nevertheless taken a leading role in advocating it as a basis of legislation. *Istiḥsān* is not scholastic because it derives its authority from the Qur'ān, which is

¹³ Further details on the construction of *qiyās* and relevant illustrations can be found in M.H. Kamali, *Principles of Islamic Jurisprudence* (Cambridge: The Islamic Texts Society, 1991), pp. 197-229.

¹⁴ For details on *istiḥsān* see the previous note at pp. 245-267.

¹⁵ Muḥammad b. Idrīs al-Shāfi'ī, *Kitāb al-Umm* (Cairo: Dār al-Sha'b, 1321 H.), VII, p. 271.

emphatic on the realization of public benefit. Although the other schools have also recognized *maṣlaḥah* as a source of law, yet because of its strong utilitarian learning, they have generally tended to impose a variety of conditions on it, so much so that it could no longer be seen as an independent proof. Only Imām Mālik has advocated *maṣlaḥah* as a source of law in its own right which is why it is regarded a Mālikī contribution to the methodology of *uṣūl al-fiqh*. Whereas analogy operated within the given terms of the existing law, and juristic preference basically corrected its irregularities, *maṣlaḥah* was not bound by such limitations and it vested the ruler and the *mujtahid* with the initiative to take all necessary measures, including new legislation, in order to secure what they considered to be of benefit to the people. Provided that the *maṣlaḥah* in question was general, as opposed to an individualist or sectarian interest, that it was genuine and pursued the valid objectives of *sharʿah*, and that it did not violate any of its textual injunctions—it was a valid basis of legislation.¹⁶

Almost every major school proposed a new principle or method in order to regulate *ijtihād* and ensure its conformity with the overriding authority of divine revelation. Whereas some *ʿulamāʾ*, such as the Ṣāḥirīs, confined the sources of law to the Qurʾān, Sunnah and *ijmāʿ*, the Ḥanafīs added *qiyās*, *istiḥsān* and custom (*ʿurf*), to which the Mālikīs in turn added *istiṣlāḥ*, and blocking the means (*ṣadd al-dharāʾiʿ*). In bare outline, *ṣadd al-dharāʾiʿ* ensured the consistency of means and ends blocking thereby the attempt to use a lawful means towards an unlawful end—such as the sale of arms at the time of conflict. Although some of the obvious applications of this doctrine were generally accepted, the Mālikī school has applied it more widely than most. Imām al-Sharʿī's (d. 205/820) unique contribution to *uṣūl al-fiqh* is manifested in his *Risālah*, which is the first work of authority on the subject that advanced the knowledge of the Qurʾān and Sunnah to a new stage and articulated the legal theory of *uṣūl al-fiqh* in much the same ways as it is today. The Shāfiʿīs have also contributed the doctrine of *istiṣḥāb*, or presumption of continuity, which contemplates continuity and predictability in law and in court decisions by proposing that facts and rules of law and reason are presumed to remain valid until there is evidence to establish a change. A mere claim or doubt that there might be a change is of no account and should therefore not affect continuity in the structure of the *ahkām*.¹⁷

These doctrines are all designed, each in their respective capacity, to relate the *sharʿah* to social reality, to serve as instruments of adaptation, and provide formulae for finding solutions to new issues. The methodol-

¹⁶ For details on *Maṣlaḥah* see M. H. Kamali "Have We Neglected the *Sharʿah* Law Doctrine of *Maṣlaḥah*?" *Islamic Studies* 27 (1988), pp. 287-304.

¹⁷ For details on *istiṣḥāb* see Kamali, *Jurisprudence*, 13, pp. 297-310.

ogy that they propose is also designed to ensure the conformity of *fiqh* to the basic principles and philosophy of *shari'ah*. The idea that the law must evolve lies at the root of all of these doctrines. What would be the use otherwise of analogical reasoning, general consensus, and juristic preference etc., if the law were to be closed to evolution? An obvious conclusion that can be drawn from the very existence of an elaborate methodology must therefore be that the *shari'ah* is open to development through the application of that methodology.

VI. Adaptability and Change

Fiqh consists for the most part of the interpretation of those parts of the Qur'an and Sunnah which are amenable to interpretation and can be related to new situations. Rational enquiry and investigation is not only encouraged in the Qur'an but derive substance from the presence; on a large scale, of the general (*'ām*) and speculative (*ẓannī*) provisions in the Qur'an as well as the fact that the Qur'an validates ratiocination (*ta'li*) as a basic premise of its legislation. I shall briefly address each of these as follows:

1. General Themes of the Qur'an

Although the Qur'an contains specific rules on such matters as marriage, divorce, inheritance, and crimes, provisions of this kind occupy a relatively small portion of its legal contents. Out of an approximately five hundred legal verses in the Qur'an only a small proportion is conveyed in the form of specific provisions, the rest are all concerned with general principles.¹⁸ A great deal of the general (*'ām*) in the Qur'an has been specified by the Qur'an itself, or by the Sunnah, or the scholarly interpretation of commentators.¹⁹ But even so, since the Qur'an is largely devoted to an exposition of general principles, its language is often versatile and dynamic, which means that the text can often be interpreted and given a concrete meaning in conjunction with particular issues. When we read, for example, the proclamation that "God permitted sale and prohibited usury" (2:275), or that "God does not intend to impose hardship upon people" (5:6); or the command addressing the believers to "fulfil your con-

¹⁸ There is disagreement on the precise number of *āyāt al-ahkām* (legal verses) in the Qur'an. Whereas al-Ghazzālī (*Al-Mustasāfā*, II, 101) estimated these at 500, 'Abd al-Wahhāb Khallāf (*ʿIlm Usūl al-Fiqh*, p. 32) has given them at 350 verses the reason for such differences is the perspective of the researcher. It is quite possible that a *mujtahid* may derive a legal rule from a nonlegal passage or that averse may be regarded as a legal verse by some and nonlegal by others.

¹⁹ For details see "Al-Fiqh," in *Al-Mawsūʿah al-Fiqhiyyah* (Kuwait: Wizārat al-Awqāf wa'l-Shuʿūn al-Islāmiyyah, 1987), I, p. 19 ff.

tracts" (5:1); and another command to "devour not each other's property in vain, unless it be through lawful trade by your mutual consent" (4:29); or the statement that everyone is responsible for his own conduct and "no soul shall be burdened with the burden of another" (6:164); or the address to the believers to "obey God and obey the Messenger and those who are in charge of affairs," (4:59) or the preceding text in the same Sura (4:58) addressing the believers to "render the trusts (*al-amānāt*) to whom that they belong and when you judge among people, you judge with justice;" and then the ruling which requires that community affairs must be conducted through consultation (3:159) and the address to the believers to "cooperate in pursuit of good works and piety and cooperate not in hostility and sin" (5:2) and so forth—the text is in each case concerned with laying down a basic norm and a general principle which may well relate to new developments issues and conditions in the life of the community that were not experienced before. Although no law can be said to have a sense of reality if all of it were devoted to generalities, yet the Qurʾān is seen mainly as a source of general guidance and inspiration rather than of specific rules and procedures. "Every scholar who has resorted to the Qurʾān in search of solution to a problem," commented al-Shāṭibī, "has found in the Qurʾān a principle that has provided him with some guidance on the issue." Al-Shāṭibī also observed that "the specific rulings of the Qurʾān are often related to a better understanding of its general principles."²⁰ It is undoubtedly the general principle of the Qurʾān that has given it a certain quality of permanence as well as substance for an ever-increasing series of commentaries and interpretations.

2. The Speculative (*ẓannī*) in the Qurʾān

Legislation in the Qurʾān occurs in two varieties, namely definitive (*qatʿī*) and speculative (*ẓannī*). The former refers to a definitive injunction which is self-evident and clear without any recourse to interpretation. The specific shares that the Qurʾān assigns to legal heirs, the prohibited degrees of relations in marriage, and the obligatoriness of prayer and fasting etc., are all conveyed in this form. Clear injunctions of the Qurʾān lie at the core of the *sharīʿah*, but since they are in no need of interpretation, *fiqh* has little role to play in regards to them, except for the possibility perhaps that an analogy may be based thereon.

A legal text is classified as speculative when the language of the text is not self-evident in meaning and cannot therefore be applied without recourse to interpretation and *ijtihād*. When the Qurʾān declares, for ex-

²⁰ Abū Ishāq Ibrāhīm al-Shāṭibī, *al-Muwafāqāt fi Uṣūl al-Sharīʿah*, ed. Muḥammad Ḥasanay Makhlūf (Cairo: Matbaʿah Salāfiyyah, 1341), III, p. 219.

ample, that "forbidden to you (in marriage) are your mothers and your daughters..." (4:23)—this is basically a definitive injunction in regards to the prohibitions that it conveys, but even the definitive text here has a speculative aspect. The question thus arose as to whether the word "daughters" include illegitimate daughters and step daughters, and if so whether they are entitled to inheritance. Similar questions have arisen with respect to a whole range of legal injunctions. Even in regards to such basic prohibitions as murder, adultery and theft, questions arise as to the precise definition of these, and whether, in the case of theft, for example, stealing from the dead, or pick-pocketing, fit the standard definition of the offence. The answers that are given to such questions are a matter of disagreement among the schools of *fiqh*. By far the larger portion of the legal contents of the Qur'ān is speculative with respect to meaning although the whole of the Qur'ān is definitive in respect of authenticity.²¹ Most of the Sunnah, on the other hand, has reached us by means of solitary reports of odd individuals, known as *Aḥād Ḥadīth*. Reports of this kind are speculative in authenticity and transmission even if they may convey a clear meaning. The *Aḥād Ḥadīth* as such cannot establish a definitive injunction of *sharī'ah* unless, of course, its content is supported by the Qur'ān or by general consensus (*ijmā'*).²²

It is due partly to the presence of speculative provisions in the Qur'ān and Sunnah that the *sharī'ah* remains open to interpretation and reconstruction. The *ulamā'* of the various schools have taken different approaches to interpretation, to the implications of the general and the specific (*ām*, *khāṣṣ*), and such other issues as the occurrence or otherwise of abrogation (*naskh*) in the Qur'ān as well as the precise meaning and implications of commands and prohibitions in the text. While some, like the *Zāhirīs*, have taken a literalist approach and upheld only the clear and immediate meaning of the text, the majority have taken a broader view of interpretation and have gone beyond the confines of words, to include the logical implications and rationale of a legal text as an integral part of their approach to its understanding.²³

3. Ratiocination (*Ta'īl*)

When we compare Qur'ānic legislation to a modern statute, we note that the textual rulings of the Qur'ān are not confined to a series of com-

²¹ Cf. Yūsuf al-Qaradāwī, *Sharī'ah al-Islām Ṣalīḥah li'l-Tatbiq fi Kull Zaman wa Makān* (Cairo: Dār al-Ṣahwah 1494 H.), pp. 137-38; Muḥammad Tawfiq Uwaydah, *Al-Fiqh al-Islāmī Asās al-Tashrī'* (Cairo: Matabi' al-Ihrām al-Tijāriyyah 1391/1971), p. 189.

²² Cf. Muṣṭafa Aḥmad al-Zarqā, *Al-Madkhal al-Fiqhī al-ām* (Damascus: Dār al-Fikr, 1986).

²³ There is a chapter on abrogation and another on commands and prohibitions in Kamali, *Jurisprudence*, n. 13, pp. 149-68.

mands and prohibitions and their immediate consequences but often espouse an appeal to the reason and conscience of the individual. The Qur'ān expounds on numerous instances and in a large variety of themes, both legal and nonlegal, the rationale, cause, objective and purpose of its text, the benefit or reward that accrues from conformity to its guidance or the harm and punishment that may follow from defying it. This aspect of the Qur'ān, known as *ta'īl*, is also manifested in the affirmative stance that the Qur'ān takes to the exercise of sound reasoning and judgement, and in the frequent references that it makes to those who think, who enquire into the world around them and investigate, those who possess knowledge and draw rational conclusions from their observations. The *ulamā'* were thus able to conclude that the wider implications and objectives of the Qur'ān which are often indicated but not always elaborated in the text should be investigated and comprehensively understood. *Ta'īl* is not valid with regard to devotional matters, but outside this sphere the *sharī'ah* encourages investigation and enquiry into its rules. Ratiocination in the Qur'ān means that the laws of *sharī'ah* are not imposed for their own sake, nor for want of mere conformity to rules, but that they aim at the realization of certain benefits and objectives. When the effective cause, rationale and objective of an injunction is properly ascertained, they serve as basic indicators of the continued validity of that injunction, which means that the injunction in question stands or falls in accordance with its effective cause (*'illah*). Thus when a ruling of *sharī'ah* outside the sphere of *ibādāt* no longer serves its original intention and purpose, then it is the proper role of the *mujtahid* to substitute it with a suitable alternative, and failure to do so would mean neglecting the objective (*maqsud*) of the Law-giver.²⁴ Among the instances of *ta'īl* in the Qur'ān we note, for example, in reference to just retaliation (*qisās*) the proclamation that "in *qisās* there is (saving of) life for you, O you men of understanding" (2:179). Similarly the prohibition of wine-drinking and gambling is premised on the rationale of preventing "hostility and rancor" among people and interference with the remembrance of God (5:91). Legal alms and charities are levied in order to prevent the concentration of wealth among the rich (57:7). With reference even to the prophethood of Muḥammad, God Most High justifies it by proclaiming that "We have not sent thee but a mercy to mankind" (21:10). Mercy (*rahmah*) in this text and communication (*balāgh*) (5:92) and warning (*tandhīr*) in other places (22:49) thus explain the rationale and objectives of prophethood. These and other instances of *ta'īl* in the Qur'ān has led the Shāfi'i jurist 'Izz al-Dīn 'Abd al-Salām to

²⁴ Cf. Muḥammad Amin (known as Āmir Badshah), *al-Taysīr Sharḥ al-Tahrīr* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1983), I, p. 360; Shalabi, *Al-Fiqh*, n. 1, p. 131, al-Nabhān, *Al-Madkhal*, n. 33, p. 402.

the conclusion that "the *sharī'ah* is premised on securing benefit for the people and none of the *ulamā'* has opposed this. As for the Zāhiriyyah, they too have endorsed this in principle except that they do not agree with ratiocination in the sense of assigning specific causes for textual injunctions."²⁵ Al-Shāṭibī has similarly observed that the rules of *sharī'ah* concerning civil transactions and customary matters (*mu'āmalāt wa 'ādāt*) follow the benefits on which they are predicated. The *sharī'ah* may forbid something because it is devoid of benefit but it permits the same when it secures a benefit. A deferred sale, for example, of a dirham for a dirham is forbidden because of the fear of usury (*ribā'*) but a period loan is permitted because it secures a *maṣlahah* (deferment is harmful in one and beneficial in the other).²⁶

We find in the precedent of the companions instances where some of the rulings of Qur'ān and Sunnah were suspended or replaced because they no longer secured the benefit and objective for which they were initially introduced. Thus the Caliph 'Umar al-Khaṭṭāb suspended the share of the *mu'allafah al-qulūb* in the *zakāt* revenues. These were persons of influence whose cooperation was important for the victory of Islam. The Qur'ān (9:60) had assigned a share for them which the caliph discontinued on the ground, as he stated, that "Allah has exalted Islam and it is no longer in need of their support." The caliph thus departed, on purely rational grounds, from the letter of the Qur'ān in favor of its general purpose and "his ruling is in harmony with the spirit of the Qur'ān."²⁷ We also note the *Ḥadīth* in which the Prophet declined a request by some companions, made at a time of price hikes in commodities, to introduce price control (*al-tas'ir*) in the market of Medina on the ground as the Prophet expounded that this might amount to an unfair imposition (*mazlamah*) on the traders. But the change of circumstances some sixty years later prompted the *ulamā'* of Medina to validate price control on precisely the ground of similar apprehensions as the Prophet had expressed—to prevent unfair trading and abuse—albeit that this time the harm was feared to affect the community as a whole. According to another report, the Prophet's widow, 'Āishah reversed the ruling of the *Ḥadīth* which had allowed women to attend the mosque for congregational prayers, stating as her reason that owing to the spread of corruption, the Prophet would have done the same had he been alive.²⁸ Once again, I may add, that due to the change of

²⁵ 'Izz al-Dīn 'Abd al-Salām, *Qawā'id al-Aḥkām fī Maṣāliḥ al-Anām*, ed. Ṭāha 'Abd al-Rauf Sa'd (Cairo: Maktabah Kulīyyat al-Azhariyyah, 1968), p. 5.

²⁶ Al-Shāṭibī, *Muwafāqāt*, n. 20, II, p. 305.

²⁷ 'Abd al-Rahmān Taj, *Al-Siyāsah al-Shar'iyyah wa'l-Fiqh al-Islāmī* (Cairo: Maṭba'ah Dār al-Ta'lif, 1373/1953), p. 28; Zaydān, *Al-Madkhal*, n. 2, p. 122.

²⁸ For details on both of these examples see Yūsuf al-Qaraḍāwī, *Al-Ijtihād fī'l-Sharī'ah al-Islāmiyyah* (Kuwait: Dār al-Qalam, 1406/1985), pp. 120-2.

conditions in our own time, the prevailing custom seems to permit women's participation in almost all walks of life and it would no longer make sense that the mosque should now be the only place where women should not attend. The specific cause and argument may vary in each case but the basic rationale in all of these is the people's benefit and *maṣlaḥah* which, as we learn from the precedent of companions, lay at the root of the whole idea of *ta'wīl*. It was only at a later stage when the jurists (especially the Ḥanafis and Shāfi'is) departed from the *maṣlaḥah*-based *ta'wīl* toward the more technical concept of *ʿillah*. But even so *ʿillah* was still grounded in the basic notion of *maṣlaḥah* albeit that the jurists began to stipulate conditions of a technical nature to ensure that the *ʿillah* in question secured its underlying *maṣlaḥah*.²⁹ I shall not pursue this discussion any further than saying perhaps that in their methodology of *qiyās* the Mālikīs and Ḥanbalīs have validated the concept of *ḥikmah* (objective, rationale) as a substitute for *ʿillah* and the basic difference between them is that *ḥikmah* is less technical than *ʿillah* and more closely associated with *maṣlaḥah*.³⁰

To summarize, the occurrence of *ta'wīl* in the Qurʾān, Sunnah and the precedent of the companions and the prominence that it takes in the conduct of *ijtihād* clearly indicates that Islamic Jurisprudence, outside the sphere of *ʿibādāt*, is rationalist in essence and premised on a set of higher values such as justice and *maṣlaḥah*, which constitute the basic objective and rationale of all of its legal injunctions.³¹ *Ta'wīl* and *ijtihād* must, of course, be guided by the textual injunctions (*nusūṣ*) of *sharʿah* but since *maṣlaḥah* is the overriding goal and objective of *sharʿah*, the *nusūṣ* should not be read in isolation from it. A technical and plausible reading of the *nusūṣ* which is oblivious to the public welfare and inspired only by considerations of conformity and literalism should therefore be avoided.³²

VII. Consolidation and Reform

A problem that has hampered the efforts toward the revival of *fiqh* and *ijtihād* in light of contemporary conditions has been over accessibility. This is because the bulk of scholastic *fiqh* is contained in voluminous works of medieval origin and style. These works, which are generally in Arabic, are also poorly classified and focus occasionally on issues that are no longer relevant to the experience of the Muslim community in modern times. Another difficulty with these abundantly rich and eru-

²⁹ Cf. Shalabi, *Al-Fiqh*, n. 1, p. 166, al-Qaraḍāwī, *Al-Ijtihād*, n. 28, p. 157.

³⁰ For more details on *ʿillah* and *ḥikmah* see Kamali, *Jurisprudence*, n. 13, p. 207 ff.

³¹ For details on the basic objectives of *sharʿah* (*maqāsid al-sharʿah*) see M.H. Kamali "Sources, Nature and objectives of *Sharʿah*," *The Islamic Quarterly* 33 (1989), pp. 215-35.

³² Cf. al-Nabhān, *Al-Madkhal*, n. 33, p. 401.

dite works is manifested in their tendency toward scholastic isolation often amounting to a disregard for the contribution of the other schools. The Ottoman *Mejelle* of 1876 was an attempt by the Turkish government and *‘ulamā’* to codify and make easily accessible the Ḥanafī *fiqh* of *mu‘āmalāt*. After some seven years of preparation, the *Mejelle* was completed in 1881, consisting of an introduction and sixteen chapters. The *Mejelle* did not cover the area of family law which is why it was followed in 1917 by the promulgation in Turkey of the Law of Family Rights. This law utilized the resources not only of Ḥanafī *fiqh*, but of the other three schools more widely than the *Mejelle*, marking in effect a departure from the scholastic particularity of adherence only to a single *madhhab* in the country.³³ Although Turkey herself abandoned these laws, the works remained nevertheless in use in other Muslim countries and influenced subsequent legislation in the Arab Middle East. The new trend was even more visible in the 1929 Egyptian law (no. 25) of Personal Status which drew not only from the juristic legacy of the four major schools of *fiqh* but also from the opinions of individual jurists when this was deemed to be more conducive to public interest. The Syrian Law of Personal Status 1953 took a step further in this direction and relied not only on the resource of the leading schools but formulated new rules which had no precedent in existing *fiqh*. The Syrian legislation marked a new beginning for *ijtihād* through the modality of statutory legislation as it departed from the traditional pattern of *fiqh* being the concern primarily of private jurists and *mujtahids*. This neo-*ijtihādī* approach to legislation was followed, in the same decade, by similar attempts in Morocco, Tunisia, Iraq and Pakistan where statutory reforms were introduced in the traditionally *sharī‘ah*-dominated laws of marriage, polygamy and divorce. The new reforms were often based on a novel interpretation of the Qur’ān on their related themes and were generally expressive of the desire to retain the Islamic identity of their laws but to revise and reform them in light of the prevailing social conditions.³⁴

Notwithstanding their many advantages such as pragmatism, better classification and access, the new reforms were decidedly selective in that they confined the applied aspect of *fiqh* to matters of personal law which consequently isolated the wider legacy of *fiqh* in the other areas of *mu‘āmalāt*. The new codes had also a restrictive effect in that they confined the judges and practitioners to specific provisions and minimized the need for them to maintain regular contact with the sources. They had

³³ For details see Al-Ashqar, *Tārīkh al-Fiqh* n. 1 at 187 ff; Muḥammad Fārūq al-Nabhān, *Al-Madkhal li’l-Tashrī‘ al-Islāmī*, 2nd. ed. (Kuwait: Dār al-Qalam, 1981), p. 365 ff; al-Qaraḍāwī, *al-Ijtihād*, n. 28, p. 134.

³⁴ For further detail on family law reforms in the Middle East see M.H. Kamali, *Law in Afghanistan* (Leiden: E.J. Brill, 1985), pp. 154 and 189; al-Qaraḍāwī, *Al-Ijtihād*, n. 28, p. 134 ff.

the effect of pushing the source materials of *fiqh* and its methodology further into the background so much so that their relevance to the applied laws of the land became even less visible than before.³⁵ The need was consequently felt for new measures to consolidate the rich legacy of *fiqh* into convenient collections which would stimulate scholarly interest in *fiqh* and respond to the needs and interest of both the legal profession and academic research. Hence the call by the Organization of Islamic Conference in 1951 for the compilation of a comprehensive encyclopedia of *fiqh*, following which several projects were taken up towards that end. The University of Damascus began a project in 1956, and the governments of Egypt and Kuwait started their own projects in 1951 and 1971 respectively. The Egyptian and Kuwaiti encyclopedias are now running each at over thirty volumes and they are still continuing.³⁶

These and other similar encyclopedic compilations have on the whole departed from the scholastic exclusivism of the traditional writings by treating all the major schools of *fiqh* (the four Sunni schools plus four Shī'ah - Ja'fari, Zaydī, 'Ibādī, and Zāhiri), strictly on the merit of their contribution and the information compiled is relatively free of sectarian bias.³⁷ Yet by the very terms of their reference, the encyclopedia collections were designed to consolidate rather than reform the existing *fiqh* and this has meant that the compilers were not in a position to address new issues at the level of *ijtihād*. They have undoubtedly provided valuable resources but they consist basically of an uncritical description of the scholastic heritage of *fiqh*. The need was then felt to supplement and enrich the scope of these endeavors by establishing a forum to facilitate collective *ijtihād* over new issues. A project was consequently undertaken by the OIC which led to the formation of the *Fiqh* Academy in Jeddah in 1981, and another by the Muslim League which led to the setting up of another *Fiqh* Academy at around the same time in Makkah. India and Pakistan have each established a *Fiqh*, and a *sharī'ah* Academy of their own, and there are a number of international institutes and organization that undertake research in Islamic legal themes. An even earlier attempt along these lines was made by the Azhar University of Egypt in 1961 in the form of setting up the Islamic Research Academy (*Majma' al-Buḥūth al-Islāmiyyah*) and subsequently by the King Abdul Aziz University which in 1977 established its International Centre for Islamic Economic Research.³⁸ The International Islamic University Malaysia, and that of Islamabad, started operations in

³⁵ Cf. Al-Ashqar, n. 1, p. 201.

³⁶ *Ibid.*, p. 206 ff.

³⁷ Cf. Manna' al-Qattān, *Al-Tashrī' wa'l-Fiqh fi'l-Islām* (Beirut: Mu'assasah al-Risālah, 1405/1985), p. 345 ff.

³⁸ Cf. Al-Ashqar, *Tārīkh al-Fiqh* n. 1, p. 211.

the early 1980s and are currently engaged in building a stronger and more balanced infrastructure for specialized research efforts in Islamic Law.

VIII. Independent Reasoning (*Ijtihād*)

I have on numerous occasions in this essay accentuated the close link between *fiqh* and *ijtihād*. It now seems proper to characterize, however briefly, the basic concept of *ijtihād* and make a few remarks concerning *ijtihād* in modern times.

Ijtihād, which literally means striving, is defined as self-exertion by a *mujtahid* to the best of his or her ability in order to deduce the ruling of a particular issue from the evidence/indication that is found in the sources. It will be noted that this definition resembles closely that of the *fiqh* itself. This is so because *fiqh* and *ijtihād* stand essentially in the same relationship to the *sharī'ah*, which is to ensure the continued application of *sharī'ah* to the changing conditions of society. Whereas the revelation of the Qur'ān and Sunnah discontinued with the demise of the Prophet, *ijtihād* continues and it is as per Muḥammad Iqbāl's characterization "the principle of movement in the structure of Islam."³⁹ *Ijtihād* is a collective obligation (*farḍ kafā'i*) of the Muslim community and a such it must never be abandoned. The duty is primarily addressed to all qualified *mujtahids* in the event where an issue arises but no urgency is felt over its ruling. The duty is fulfilled if it is performed by at least one *mujtahid*, but it becomes a personal obligation (*farḍ 'aynī*) of the qualified *mujtahid* in urgent cases and events when there is fear that the cause of justice or truth may be lost if *ijtihād* is not immediately attempted. This would be the case when no other qualified person, other than a single *mujtahid*, can be found in the community to attempt *ijtihād*.⁴⁰

In modern times *ijtihād* has basically occurred in the following three forms: through the modality of statutory legislation, in the form of *fatwā* by scholars and judges, and through scholarly research. Instances of legislative *ijtihād* can be found, as already noted, in the modern reforms of family law in many Muslim countries, particularly with reference to the fact that polygamy and divorce have both been made contingent upon a court order and are no longer the unilateral privilege, as it were, of the husband. The reformist legislation on these subjects derive some support from the *Mālikī fiqh* but they are essentially based on novel and equally

³⁹ Muḥammad Iqbāl, *The Reconstruction of Religious Thought in Islam* (Lahore: Shah Muḥammad Ashraf, reprint 1982). Chapter XI of Iqbāl's book which is on *ijtihād* bears the title "The Principle of Movement in the Structure of Islam."

⁴⁰ Yahya b. 'Alī al-Shawkānī, *Irshād al-Fuḥūl min Taḥqīq al-Ḥaqq ilā 'Ilm al-Uṣūl* (Cairo: Dār al-Fikr, n. d.), p. 235; Shaykh Muḥammad al-Khudārī, *Uṣūl al-Fiqh*, 7th ed. (Cairo: Dār al-Fikr, 1401/1981), p. 368.

convincing interpretation of the relevant portions of the Qur'an.⁴¹ We also note numerous instances of *ijtihād* in the views of *ulamā'* and scholars, such as the collections of published *fatwās* (legal verdicts) by Muḥammad Rashīd Riḍā, and a similar collection of *fatwās* by the late Shaykh Maḥmūd Shaltūt, and many others. The Supreme Court of Pakistan decision in the well-known case of *Khurshīd Bibi v. Muḥammad Amin* in 1967 on the subject of *khul'* divorce effectively declared *khul'* as a form of divorce that can take place at the initiative of the wife. This could be cited as an instance of judicial *ijtihād* which was also based on a novel interpretation of a Qur'anic passage on the subject.⁴² To give just one example of scholarly views and contributions to the on-going efforts in *ijtihād*, I refer here to Yūsuf al-Qaraḍāwī's view which validates air travel by women without the company of their male relative. Women were not permitted to travel alone, according to the rules of *fiqh* that were formulated in pre-modern times. Al-Qaraḍāwī's conclusion is based on the analysis that the initial ruling was intended to ensure the physical and moral safety (*al-ṭuma'nīnah*) of the women concerned, and that modern air travel fulfils this requirement. The learned author has supported his view by an analysis of the relevant *Ḥadīth*s on the subject and has arrived at a ruling which is better suited to contemporary conditions.⁴³

The pace of change and the momentum it has gained in the age of technology and science can only serve as a reminder for more refined and imaginative *ijtihād* on an extensive scale. Two points need to be noted which add to our understanding of the conventional theory of *ijtihād*.⁴⁴ Firstly, *ijtihād* in modern times needs to be a collective endeavor that would combine the skill and contribution, not only of the scholars of *sharī'ah*, but of experts in various other disciplines. This is because acquiring a total mastery of all the relevant skills that are important to contemporary society is difficult for any one individual to attain. We need to combine *ijtihād* with the Qur'anic principle of consultation (*shūrā*) and make *ijtihād* a consultative process, preferably as an integral part of the workings of the modern legislative assembly. The second point I wish to make is that *ijtihād* has in the past been seen as a juristic concept and a preserve, as it were, of the *mujtahid*. But *ijtihād* in the sense of self-exertion is a method of finding solutions to new issues in light of the guidance of *wahy* (divine revelation). It is in this sense a wider proposition which may be exercised by the scholars of *sharī'ah* as well as experts in other disciplines, provided that those who attempt it acquire mastery

⁴¹ For further details and examples see Kamali, *Law in Afghanistan*, n. 34, p. 158 ff; al-Qaraḍāwī, *Al-Ijtihād*, n. 28, p. 134 ff.

⁴² P. L.D., 1967, S.C. 97.

⁴³ Al-Qaraḍāwī, *Al-Ijtihād*, n. 28, p. 126.

⁴⁴ There is chapter on *ijtihād* in Kamali, *Jurisprudence* n. 13, pp. 336-95.

of the relevant data, especially in the Qur'ān and Sunnah, on the subject. There is thus no reason why experts in Islamic economics and medicine, for example, could not carry out *ijtihād* in their respective fields of specializations.

Conclusion

Fiqh is essentially dynamic as it is endowed with the methodology and resources to move abreast with realities of social change. The long period of stagnation and *taqlid* has undoubtedly hampered the process of its evolution and created a gap wide enough to put the relevance of *fiqh* to the concerns of modern society seriously in doubt. But *taqlid* was prompted by a combination of factors including the persistent alienation of the *ʿulamāʾ* and government throughout the many centuries of Umayyad and ʿAbbāsid rule. The *ʿulamāʾ* were consequently engaged in their academic pursuits with little involvement in the business of government. The rulers condoned this isolation under the umbrella of *taqlid* as it left them with initiative and control over public affairs. For essentially similar reasons, one could hardly expect *fiqh* and *ijtihād* to remain a viable force in society during the colonialist domination of Muslims by European powers. It thus appears that the decline of *fiqh* in both these instances had, to a large extent, been due to lack of government participation and involvement in the development of *fiqh*. But the realities of power politics is no proof against the adaptability of *fiqh* and its capacity for growth. As one observer noted "there is no historical precedent to support the suggestion that the *sharʿah* cannot be revitalized. The process of its interpretation in the early days of Islam demonstrated that it is not a fixed and permanent entity but capable of change to fit new circumstances."⁴⁵ The course of events in the twentieth century has shown once again that when the governments in power began to introduce legal reforms of family law, they were able to find the resources of Islamic law responsive to the prevailing needs of the community. In an attempt to ascertain the relevance of *fiqh* to contemporary issues, Weeramantry has observed that "a new era of Islamic Jurisprudence lies ahead, as full of vitality as any of the ages past and as full of determination to make of the Islamic law an instrument relevant to the... problems conjured up by the present technological age."⁴⁶

It would be less than realistic perhaps to expect the renewal of *fiqh* and *ijtihād* without a change of direction in the content and style of modern legislation. There is no visible role for *ijtihād* as a methodology and

⁴⁵ Sadiq al-Mahdi "The concept of an Islamic State," in ed. Altaf Gauhar, *The Challenge of Islam* (London: Islamic Council of Europe, 1978), p. 114.

⁴⁶ J. Weeramantry, *Islamic Jurisprudence, An International Perspective* (Basingstoke: Macmillan, 1988), p. 123.

source in the constitutions and laws of many Muslim countries. Notwithstanding the fact that the *shari'ah* is recognized, in some constitutions, as a principal (in the case of Egypt as "the principal") source of legislation, the constitutions and laws of Muslim countries are largely governed by methods that take their origin in Western rather than Islamic doctrines. Western style legislation has generally replaced the erudite juristic manuals of *fiqh* that used to dominate legal and judicial practice in Muslim societies. The classical theory of *ijtihad* had not envisaged this transition to the total dominion of the statute book. I have already pointed out some of the shortcomings of the theory of *ijtihad* in the modern context. What we need today is to integrate *ijtihad* into the working of the modern legislative assembly. Islamic resurgence in recent decades has demonstrated the demand of the Muslim masses that they should be governed by laws that are in harmony with their own culture and heritage. The nature of the issues tend to vary from one country to another but the general picture appears to be that *ijtihad* at the level of statutory legislation has yet to gain sufficient momentum to signify a change of direction in government policy and legislation.

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INDO-PAKISTANI AND EGYPTIAN *MUFTIS* ON MEDICAL ISSUES

The choice of the research to be dealt with in this paper is prompted by the question as to whether and to what extent in our age opinions of *fiqh*-scholars vary if belonging to various *madhhab*s and institutes, different countries and cultural environments. For all of them base themselves on the same authorities of Qurʾān and *Ḥadīth*, when they have to find a solution for the qualms of their clientèle, i.e. on the Subcontinent chiefly conscientious members of the lower middle class and in Egypt primarily representatives of the upper class. In the case before us, the moral and cultic problems discussed are *inter alia* occasioned by the tremendous progress of medical science. In fact, at this juncture it is a 'universal' phenomenon, not restricted to the Muslim world. The University of Leiden, for instance, recently appointed a professor in charge of medical ethics. A strong stimulus for broaching medical issues is the encouraging observation of the Prophet: "Allah has not made a disease without appointing a remedy for it." (Abū Dāʾūd, *al-Ṭibb* 1). Or to express this point of departure in the words of one of the *muftis* whose arguments are discussed in this article: "On the strength of Qurʾān XX^{118 f}: 'The Garden of Eden is given to you, Adam and Eve, neither to hunger therein, . . . nor to thirst therein,' can be postulated, 1) that God, Who has created diseases, has also provided the medicines for them; and 2) that consequently it is a lawful act to transplant a heart of a dead body to a living person for the recovery of his health."¹

The *muftis* of Upper Egypt are mainly Malikites; their colleagues on the Indo-Pakistani Subcontinent are Ḥanafites. The Egyptian *fatwās* chosen were issued by

1. Maḥmūd Shaltūt (1893–1963), rector of the Azhar from 1958 till 1963, and Jurisconsult during the Nasser Era.
2. Muḥammad Mutawallī al-Shaʿrāwī (1911 -), a member of the Azhar élite, from September 1976 until November 1978 minister of the *Awqāf* in the Cabinet of Sādāt's Egypt, and himself also a physician.
3. Aḥmad al-Sharabāṣī (d. 1980), professor at the Azhar.

The Indo-Pakistani *muftis* can be classified under three groupings:

¹ Aḥmad al-Sharabāṣī, *Yasʿalūnaka fī ʿl-dīn wa ʿl-ḥayāt* (Cairo 1977) I, 604.

1. Representatives of the *Ahl-i ḥadīth*. These followers of the Prophetic tradition are typically intellectuals who proclaim that an unscientific approach to religion inevitably leads to bigotry. Thus, a *mufti* ought to rack his brains. For the validity of a *fatwā* the standpoint of one of the four *madhhab*s need not be decisive. Agreement with the Qurʾān and *Ḥadīth*, however, is essential.
2. The Barēlwī *ʿulamāʾ* (Barēli is a district town in Uttar Pradesh). In their view, it is of vital importance for a *mufti* to be conversant with the speech, usages and customs of a district for which one's *fatwās* are designed. Accordingly, the Barēlwīs sometimes appear remarkably lenient towards particular phenomena of local religion, e.g., kissing the relics of the Prophet is recommended as a means for adverting diseases.
3. A centre position between the above-mentioned groups is held by the *muftis* associated with the Dār al-ʿUlūm (seminary) in Deoband (U.P.), an institute whose repute in the world of Islam is next only to that of the Azhar. Although populist in orientation, the Deobandis proceed with caution when judging manifestations of folk religion. Hence, in their opinion it is not allowed to ask a saint at his shrine to grant a child, means of subsistence, or a recovery, as it is only at the Creator's discretion to accord such favors.

To start with, a vexing question for the general public is whether certain medical treatments do not infringe on rules for a proper observance of Ramaḍān. The fast is broken, it is claimed by Indo-Pakistani *muftis*:

- a) by the administration of a clyster, a rectal injection;
- b) by a nosebleed when the blood enters the stomach, or in the event blood of a molar, extracted by a dentist, finds its way into the bowels;
- c) by the use of tooth powder or tooth paste when it enters the intestines;
- d) by a medicine being put into the ear, since it permeates the brain;
- e) by administering chloroform during the month of Ramaḍān, as the gas reaches the brain.

On the other hand, neither a vaccination in the skin nor an osculation in a vein invalidates a fast. Modern medical science has ascertained that there is no direct passage from the pores of the skin to the stomach. Equally, no infringement is made on the rules of Ramaḍān by the dressing of wounds in the anus, or the removing of blood from the gums of a tooth, or by applying oil on hemorrhoids, a painful swelling of a vein in the region of the anus.² If a Muslim physician prescribes a liquid medicine,

² Rashid Aḥmad (1922-), *Aḥsan al-fatāwā* (Karachi 1984/5) IV, pp. 427ff.; Aḥmad Yār Khān (d. 1982), *Al-ʿAṭyā al-Aḥmadiyya* (Lahore 1976) I, pp. 274f.; ʿAbd al-Raḥīm Lājpurī (1903),

the patient is free to break the fast. The same goes for an ill person whose disease would become aggravated because of fasting.³ Azhar experts also permit injections in the skin or in a vein, since their contents do not reach the body store of food and drink, and thus do not break the fast.⁴ In a *fatwā* pronounced in 1948 by a *Fatwā* Committee of the Azhar, cure and narcotization are mentioned as actual motives behind this authorization. In 1963 Azhar scholars gave express permission for pregnant women to receive vitamin injections during the period of Ramaḍān.⁵ As for the device of narcotization, we notice a bit more flexibility on the part of the Egyptian *muftis* in comparison with their Indo-Pakistani confrères. The latter, as a rule, rejects the administration of chloroform by way of an anesthetic, because it reaches the brain, in their eyes a location as taboo as the stomach with respect to fasting. Another admissibility, condemned by the Indo-Pakistanis but justified by Shaykh Shaltūt, is the clyster, for, it is argued, the liquid in fact does not permeate the belly.⁶ Al-Sharabāṣī is of the opinion that the administration of eye drops by a doctor does not break the fast, because the eye is not an alimentary canal to convey food, drink and the like into the belly. Similarly, phlebotomy and venesection are allowed for him who fasts.⁷

Anybody aware of Ibn Taymiyya's implacable dictum: "In the view of Muslims at large, someone who takes wine, even one drop—be it as medicine or otherwise—should be flogged,"⁸ can understand the embarrassment of co-religionists on the Subcontinent and Egypt when they are confronted with the dilemma to take or refuse a European medicine that contains alcohol. For the *Ahl-i ḥadīth* it is not a debatable point by virtue of the tradition: "Abū Hurayra reported, 'The Messenger of God prohibited repulsive medicaments.'"⁹ Sayyid Nadhīr Ḥusayn (d. 1902), one of their leading lights, declares: "The reason why English medicines, in which is found alcohol, are prohibited is not 'intoxication,' for 1% alcohol does not produce intoxication. Its *ḥarām* status is due to its impurity in the same way as one drop of urine pollutes an earthen jar with water."¹⁰ Things are different however, for Indian *muftis* who do not belong to the *Ahl-i*

Fatāwā-i Rahimiyya (Rānder 1968) II, pp. 16f.; 'Azīz al-Raḥmān, ed. (d. 1928), *Fatāwā-i Dār al-ʿUlūm* (Deoband 1962) VI, pp. 411 & 418; Muḥammad Nūr Allāh (d. 1978), *Fatāwā-i Nūriyya* (Bastarpūr 1981) I, p. 241.

³ *Fatāwā-i Dār al-ʿUlūm* VI, pp. 479 & 484.

⁴ Maḥmūd Shaltūt, *Al-Fatāwā dirāsa li-mushkilāt al-muslim al-muʿāṣir fī ḥayātihī al-yawmiyya wa-ʿāmma* (Cairo 1964?) p. 136.

⁵ *Maʿjallat al-Azhar* (Febr. 1963).

⁶ Shaltūt, p. 136.

⁷ Al-Sharabāṣī, IV, pp. 52 ff.

⁸ Omar A. Farrukh, *Ibn Taymiyya on Public and Private Law in Islam* (Beirut 1966), p. 122.

⁹ Abū Dāʿūd, *Ṭibb* 11.

¹⁰ Sayyid Nadhīr Ḥusayn (d. 1902), *Fatāwā-i Nadhiriyya* (Lahore 1971) III, pp. 414f.

ḥadīth, simply because Ḥanafites have adopted a rather liberal attitude in this matter. In their opinion, intoxication by and not consumption of alcohol is the ultimate ground of the interdiction. Thus, *muftī* Muḥammad Maḥzar Allāh states: "The taking of European medicaments containing alcohol is not allowed if recovery is merely conceivable; but some scope for using them is left when no other remedy for the illness exists."¹¹ His Deobandi colleague Kifāyat Allāh Dihlawī (d. 1952) lays down that if a Muslim physician is assured that the medicine in question is the only means left for a cure, it is permitted. However, it is not sufficient if a non-Muslim doctor says so.¹² According to the same *muftī*, less contestable are the medical drugs opium, *bhāṅg* (made of the leaves of hemp), *charas* (exudation of the flowers of hemp collected with the dew) and cocaine. No objection can be made when alcohol is applied outwardly as for restoring the ostium (aperture the womb) to its original state after a childbirth. In the event of an emergency, Kifāyat Allāh expounds, it is permitted to administer chloroform as an anaesthetic.¹³

In the judgment of the Malekite al-Sharabāṣī, medicaments containing an alcoholic beverage or wine as ingredients are *ḥarām*. Only one or two *ʿulamāʾ*,¹⁴ he adds, allow a cure by means of impure drugs or wine, in the event of an emergency that sanctifies the forbidden.¹⁵ Then, subject to discussion among the *muftīs*, is the permissibility of remedies containing constituents of animals that are *ḥarām*. For the Cairene Shaykh al-Sharāwī the issue is simplicity itself. In older times people did not know the rationale of the prohibition of eating pork, but modern medical science discovered that its consumption can result in taeniasis (any morbid condition due to presence of tapeworms in the body).¹⁶ In the view of al-Sharabāṣī, it is improper to avail oneself of it for curative purposes, since in place of it there are more effective substitutive means.¹⁷ (A Dutch pharmacologist told me that in the past insulin sometimes was obtained from the pancreas of a swine. Nowadays, however, insulin is prepared differently.) Shaykh Shaltūt states that medicines made from glands or extracts of pork are tolerable if no alternative is available.¹⁸ The Deobandi *muftī* Kifāyat Allāh for his part, is of the opinion that it is not permitted to clean the teeth with a brush made of the bristles of a pig, for it involves

¹¹ Muḥammad Maḥzar Allāh, (d. 1966), *Fatāwā-i Maḥzarī* (Karachi 1970) p. 290.

¹² Kifāyat Allāh Dihlawī (d. 1952), *Kifāyat al-muftī* (Delhi 1982) II, p. 187.

¹³ *Ibid.*, IX, pp. 115 & 139.

¹⁴ Such belong to the Ḥanafī school, which permits this for medical purposes, if used with moderation.

¹⁵ Al-Sharabāṣī, V, p. 94.

¹⁶ Shaykh Muḥammad Mutawallī al-Sharāwī, *Al-Fatāwā* (Beirut 1981) I, 1, p. 74.

¹⁷ Al-Sharabāṣī, I, p. 463.

¹⁸ Shaltūt, pp. 380f.

major impurity. On the other hand, if a patient's life is feared for, it is permissible to administer a medicament containing constituents of a swine.¹⁹

Another tricky question is the application of a blood transfusion. In the Qur'an the consumption of blood is forbidden (Q. V²⁴), as it is the vehicle for the soul. According to the Deobandis, "transference of blood from one person to another is inadmissible, as it implies two improper elements:

- 1) the exploitation of a part of a human being;
- 2) benefiting from what is qualified by the Qur'an (II, 173) as an impure matter. Yet, if there exists a real danger to life and an experienced Muslim doctor declares that a transfusion might be a means to save a life, it will be permitted."²⁰

As regards availing oneself of medical leeches for drawing blood, the Bar'elwī scholar Aḥmad Yār Khān (1942 -) points out that *ṣāqīhs* in the past as, for instance, the *Ḥanafī* jurist Ibn al-Humān (d. 1457), deemed these bloodsucking worms to be an unallowable remedy. In the nineteenth century opinions changed. Nowadays making use of them is an accepted practice.²¹ In the *fatwās* of the Azharīs we encounter the permissibility of blood transfusion on the strength of Qur'an II, 195 ("and cast not yourselves by your hands into destruction").²² Shaykh al-Shar'āwī superadds to it: "Donation of blood deserves reward, because it contributes to the preservation of human life."²³ The Azhar experts give explicit consent to the transplantation of organs, e.g. an eye from a dead to a sick person. After death, so the argument runs, such an organ is no longer of any use to the deceased.²⁴

In Islam men are prohibited from wearing golden jewelry. Hence it is not surprising that the *muftis* express their disapproval of putting a golden crown on a tooth, if done for its beautiful appearance. Yet, it is certainly admissible when it is required because of dental decay.²⁵ In this connection, Thanāt Allāh Amrītsarī (d. 1948), a member of the *Ahl-i ḥadīth*, puts forward in support of this that once the Prophet authorized the Companions to fix a golden nose to replace a mutilated part of the body.²⁶ Similarly the Egyptian colleagues adduce for the same the Prophetic statement: "He, whose nose is mutilated, should replace it with a nose of gold"

¹⁹ *Kifāyat al-muṭṭī* IX, pp. 112, 253.

²⁰ *Ibid.*, IX, p. 145.

²¹ *Al-ʿAṣṣā al-Aḥmadiyya* II, p. 146.

²² Al-Sharabāṣī, III, p. 460.

²³ Al-Shar'āwī, II, 7, p. 63.

²⁴ Al-Sharabāṣī, II, p. 327.

²⁵ *Kifāyat al-muṭṭī* II, p. 265; IX, p. 147.

²⁶ Abū 'l-Wafā Thanāt Allāh Amrītsarī, *Fatāwā-i Thanātīyya* (Lahore 1972) II, p. 66.

(al-Nasā'ī, *Zīna* 41).²⁷ Another clever justification of a controversial point with the help of a *ḥadīth* is in answer of the question whether it is an act of disobedience when a physician offers medical aid to a dancing girl, that is, a prostitute. Here it is argued that the value of deeds is in the intention. If a doctor renders medical aid to her without any ulterior motive, it is an act worthy of praise. Remember that one day the Prophet commented with reference to somebody's supplying water to a dog suffering from thirst: "There is a reward for service to any living being" (Ibn Māja, *Adab* 8).²⁸

In general, *muftīs* on the Subcontinent as well as in Egypt observe a lot of caution as soon as they broach the methods of birth control. "Permissible, it is said by the Deobandīs," is the use of a French letter as well as other means of birth control, if practised with an eye to the weakness and health of a woman. In that case, a wife can apply an artful device for contraception, even without the consent of her husband. Not valid, however, are considerations relating to causing damage to a lady's lovely figure, or the fear of too many children.²⁹ According to the Azhar scholar Shaykh Shaltūt, family planning methods are incompatible with a) life instinct, b) divine wisdom, and c) the *sharī'a* of Islam. But in exceptional situations birth control may be expedient as, for instance, in the case of women becoming pregnant so quickly that insufficient milk is left for the child they are suckling; or when it pertains to a couple cursed with hereditary illnesses; or when it concerns people who are mentally or economically unable to support a big family.³⁰ Less reserved in respect of a regulation of offspring is al-Sharabāṣī who in 1966 pleaded for *khutbas* (Friday sermons) advocating birth control to be distributed by the minister of *Awqāf*.³¹

More or less in contradiction to the claim of the *muftīs* that the increase in the number of Muslims represents one of the greatest boons to humanity, is their rejection of artificial insemination for men. Certainly, for animals it is admissible, but for men it is *ḥarām*, since the offspring of animals is traced back to the mother, but for men to the father. If the father is unknown, a child is illegal.³² In the eyes of the Azharī Shaykhs al-Sharabāṣī and al-Shaltūt, artificial insemination is permitted with the seed of one's own husband.³³ In Muslim India and Egypt the issue of abortion is surely not such a ticklish affair as it is in present day Ireland or in

²⁷ Al-Sharabāṣī, II, p. 257.

²⁸ Aḥmad Riḍā' Khān Barsīwī, *al-ʿAtāya al-nabawiyya* (Fayṣalābād 1973) X, 1, p. 85.

²⁹ *Fatāwā-i Dār al-ʿUlūm* II, p. 975; *Kifāyat al-muftī* V, p. 289.

³⁰ Shaltūt, p. 296.

³¹ Cf. G. H. A. Juynboll in *Actas do IV Congresso de Estudos Arabes & Islâmicos* (Coimbra - Lisboa 1968), p. 379.

³² *Al-ʿAtāya al-Aḥmadiyya* II, p. 146.

³³ Al-Sharabāṣī, I, p. 251; Shaltūt, pp. 327 f.

the USA. It is only expressly prohibited by the *muftis* at the moment the fetus has become ensouled, which happens after four months of pregnancy; no abortion should then be carried out if the child is still alive, even if the mother is severely ill. However, a caesarean section is permitted when the child is still alive.³⁴ Allowed as well is the removal of a dead child from the womb of the mother.³⁵ At a certain moment, Shaykh al-Shar'awī explains, a physician can diagnose that under the circumstances an induced abortion is absolutely required for the health of a woman. Sterilization, however, is different and much more far-reaching, because it implies surgery that has also to do with the future. A woman is not a machine, and a doctor himself is ignorant of the future in which God will create what He has in mind. There might come an instant when God will endow her with the vigor needed for a successful delivery. So sterilization is *ḥarām*.³⁶ On the question raised by a physician as to how to deal with people suffering from venereal diseases, his confrère Shaykh al-Shar'awī answers: "Islam is a zealous advocate of the well-being of a Muslim by prohibiting fornication so that such infectious diseases are not spread . . . People afflicted with them are little concerned about their situation, for they are not in bodily pain, nor do they get a serious fever."³⁷

To al-Dhahabī (d. 1348), commonly referred to as 'traditionist of the age,' we owe the beautiful advice: "Singing, the soul's pleasure, repels many diseases."³⁸ Psychotherapy (*ʿilāj-i nafsānī*) had already been put into practice by al-Rāzī (d. 925), probably the most original of all Muslim physicians. Well-suited to the same range of thought is the observation of the Indian *mufti* Rashīd Aḥmad Gangōhī (d. 1905): "There is no great objection to the custom of *rābīʿa* (keeping to the forefront of one's mind the image of a spiritual guide) by way of psychotherapy."³⁹ Another Deobandī scholar lays down: "*Tasawwuf* (mysticism) furnishes cures for diseases of the soul (*qalb*)."⁴⁰ And again another adept of the Dār al-ʿUlūm in Deoband contends "If a doctor is of the opinion that a wife will not recover from her sickness, occasioned by the harsh treatment of her husband, and her life is feared for, then she is entitled to contract a new marriage, as is permitted by Shaffīte law."⁴¹

To some extent related to psychotherapy is the so-called 'spiritual medicine' provided by amulets, charms and invocations. Although the

³⁴ Ashraf ʿAlī Thānawī (d. 1941), *Imdād al-fatāwā* (Deoband 1954) II, pp. 155 & 172.

³⁵ *Kifāyat al-muftī* IX, p. 140.

³⁶ Al-Shar'awī, I, 3, pp. 29f.

³⁷ *Ibid.*, I, 1, p. 11.

³⁸ Fazlur Rāḥman, *Health and Medicine in the Islamic Tradition* (New York 1989), pp. 56f.

³⁹ Rashīd Aḥmad Gangūhī, *Fatāwā-i Rashīdiyya* (Delhi 1944), III, p. 103.

⁴⁰ *Aḥsan al-fatāwā* I, p. 547.

⁴¹ *Fatāwā-i Dār al-ʿulūm* X, p. 224.

reformist program of the *Ahl-i ḥadīth* bears a striking resemblance to that of the Wahhābīs, the Protestants among the Muslims, Sayyid Nadhīr Ḥusayn, one of the initiators of this movement, is fair enough to admit: "The occurrence of *siḥr* (enchantment, magic) is, according to the Sunnī *ʿulamāʾ*, a reality. Knowledge of *siḥr* is indicated in Qurʾān II, 102, 'and that which was sent down upon Babylon's two angels Hārūt and Mārūt,' who are kept suspended by their feet in Babylon, where those who want to learn magic can hear their voices. Anyone who is acquainted with the behavior of people knows that the psyche possesses a dominant influence on human action. When, for instance, a sick person receives an amulet (*taʿwīdh*), in his mind rises the idea that the illness will no longer attack him. This kind of *siḥr* actually stems from the power of God."⁴² Aḥmad Riḍā Khān, the founder of the Barēlwī school, sets forth: "A *taʿwīdh* useful in the event of fever bears as text: 'O causative agent of fever, do not eat the flesh of this patient, do not drink his blood and do not break his bones; if you are a Muslim, for Muḥammad's sake, if you are a Jew, for Moses' sake, and if you are a Christian, for Christ's sake.'⁴³ Furthermore, the same *muftī* makes mention of the curative effect a picture of a sandal of the Prophet can have if fixed on the sick part of a patient's body.⁴⁴

In the view of the Deobandīs, it is allowed to blow one's breath over sick people after having recited Qurʾānic verses.⁴⁵ Although it is not admissible to give a *ḥāfiẓ* (one who knows the Qurʾān by heart) a fee for reciting the Qurʾān on the occasion of a religious ceremony, it is permitted to do this for medical treatment⁴⁶ consisting of repeating incantations directed against the devil, *jinn*s or trials.⁴⁷ However, magic practices as such form no part of the *sharīʿa*, and a believer is entirely at liberty to make use of them, or not.⁴⁸ But it is illicit and *shirk* (idolatrous) to avail oneself of the *taʿwīdh* with the legend, 'I have the disposal of the five' (i.e. the so-called People of the Mantle: Muḥammad, ʿAlī, Fāṭima, and their two sons), employed for extinguishing the heat of a nasty infectious

⁴² *Fatāwā-i Nadhīriyya* I, pp. 309 ff.

⁴³ Aḥmad Riḍā Khān, *Al-Saniyyat al-antiqa fi fatāwā-i Afriqa* (Karachi 1977), p. 184.

⁴⁴ *Al-ʿAtāyā al-nabawiyya* X, 1, p. 1511.

⁴⁵ *Fatāwā-i Dār al-ʿulūm* (Karachi 1976), I, p. 153.

⁴⁶ There are two reasons why, in Pakistan at least, *muftīs* occupy themselves with therapies of that sort:

a) the fees they are given are badly needed for their personal livelihood.

b) "In Pakistan," we read in Fazlur Raḥman's valuable study *Health and Medicine in the Islamic Tradition*, p. 132, "in the mid-sixties, the government... ordered the official registration and licensing of traditional *ḥakīms*, because modern medical services are highly expensive and scarcely available in the country-side."

⁴⁷ *Kifāyat al-muftī* VII, p. 346.

⁴⁸ *Ibid.*, III, p. 18.

⁴⁹ *Aḥsan al-fatāwā* I, p. 48.

disease.⁴⁹ Sayyid 'Abd al-Raḥīm Lājpūrī (1903 -), *imām* of the central mosque in Rānder (district of Sūrat) answers the question as to whether it is allowed to have *mantras* (holy texts of the Hindus) read by a non-Muslim as part of a medical treatment: "If their contents conflict with the monotheistic belief, it is illegal. Their frequently occurring effectiveness does not adduce evidence of their being a correct means."⁵⁰ In another *fatwā* the same *mufti* appears not entirely unfavorably disposed towards seeking the aid of Hindu sorcerers' charms when faced with death and no other medicaments are available, on condition that the patient is not obliged to eat something *ḥarām*, or to repeat words with a *kufr* import.⁵¹ Much more rigorous is the judgment of the Deobandī jurist Kifāyat Allāh. "If an ill Muslim knows," he states, "that a conjurer recites *mantras* with the sense of *kufr*, he himself is a sinner; and the conjurer has committed such a terrible sin that he has to reassert Islam and to renew his marriage."⁵² Another remedy, equally severely condemned by a Deobandī scholar, is throwing the meat of a billy goat onto the clothes of a patient. "It is," he says, "actually a magic practice borrowed from the Hindus."⁵³

Besides the approved preparation of incantation formulas containing verses of the Qur'ān, based on *ḥadīths* recorded by Companions of the Prophet,⁵⁴ reference is also made to the days of Muḥammad for measures required when an epidemic has broken out. Sayyid Nadhīr Ḥusayn cites for this situation a tradition found in Aḥmad b. Ḥanbal, *Musnad* III, p. 324: "Jābir reported, 'I have heard from the Prophet the statement: The man who flees from a plague (*ṭā'ūn*) is comparable with somebody who flees from a war with unbelievers, whereas someone who bears his trials caused by it with an restrained mind, receives the reward of a martyr."⁵⁵ Accordingly, the Barēlwī *mufti* Aḥmad Riḍā' Khān finds: "Fleeing from *ṭā'ūn* is a grievous sin."⁵⁶ And from the Deobandis we learn that anyone who died of cholera or the plague is a *shahīd* (martyr) *de jure*. His body must be washed and wrapped in grave-clothes. Someone killed in a holy war is a *shahīd de facto*. His corpse is not washed and not wrapped in grave-clothes.⁵⁷ Then, a moot point is whether the *adhān* (call to prayer), of which Satan and evil spirits are said to be deathly afraid, is a lawful means of combating an epidemic that has broken out. "It is," Khifāyat Allāh expounds, "at any rate a *bid'ā* (innovation). If, however, it has been found by experience that the *adhān*, acting as an incantation owing to

⁵⁰ *Fatāwā-i Raḥīmīyya* I, p. 1.

⁵¹ *Ibid.*, III, pp. 247 f.

⁵² *Kifāyat al-mufti* IX, p. 59.

⁵³ *Aḥsan al-fatāwā* I, p. 367.

⁵⁴ Cf. A. J. Wensinck, *A Handbook of Early Muḥammadan Tradition* (Leiden 1927), p. 111.

⁵⁵ *Fatāwā-i Nadhīriyya* III, p. 409.

⁵⁶ Aḥmad Riḍā' Khān, *Rahma rasā'il-i Rāḍiyya* (Fayṣalābād 1984) IV, pp. 2f.

the profession of faith frequently occurring in it, turns out to yield good profits, like amulets may appear beneficial for certain diseases, then there is no objection to it. Thus in 1937, when in Swat an Indian cholera broke out, people in the mosque recited *Sūra Yā-Sīn*, and as soon as the word *mubīn* in verse 69 had been pronounced, one started to pronounce the *adhān*.⁵⁸ Another method suggested by Aḥmad Riḍā' Khān for driving away, for instance, small pox, is to sacrifice an animal to win God's mercy and to distribute its meat among Muslims.⁵⁹

In contrast to the Indo-Pakistani *muftīs*, the Azharī colleagues, as a rule, keep aloof from *siḥr* beliefs. Shaykh al-Sha'rāwī in his capacity as popular leader is certainly very cautious in his approach to this issue. In some degree he is willing to acknowledge the existence of *jinn*s, admitting that a *jinn*, for example, might be instrumental in restraining a husband from having sex with his wife. In that case, he continues, it is allowed to resort to magic arts, rendering this *siḥr* innocuous by the recitation of the so-called *mu'awwidhatān* (the *sūras* of taking refuge).⁶⁰ But then in another context he warns that the services of a *jinn* are a dangerous gift.⁶¹ More sceptical and disapproving regarding magic is the verdict of al-Sharabāṣī: "Mistaken is the idea, widely held by the public at large, that certain illnesses are caused by *jinn*s who have entered one's body. Then usually convulsive contractions of the muscles are observable. Without any foundation *ulamā'* in the past imputed such symptoms to *jinn*s or the devil."⁶² The same *muftī* also disapproves of the device of amulets bearing Qur'anic verses for a recovery, such being an improper use of the Qur'ān, for it is God Who procures medicines for physical diseases, and He has sent down the Qur'ān for the cure of heart-aches.⁶³ Following the same line of thought, Shaykh Shaltūt complains that the present generation of Muslims no longer looks upon the Qur'ān as the Book of Guidance. In its eyes, the Holy Writ is to be consecrated for other purposes, such as the therapy of bodily diseases by means of certain Qur'anic passages.⁶⁴

In the Western press *fatwās* and suppliers of the same are generally branded as bigoted, if not "fundamentalistic." Closer investigation of *muftī* pronouncements assembled in extensive volumes shows that it is not that simple. In the inquiries made with regard to medical issues, we were confronted with a rich variety of approach. There is a world of difference

⁵⁷ *Fatāwā-i Dār al-ʿulūm* V, pp. 472 f.

⁵⁸ *Kifāyat al-muftī* IX, pp. 34 f. & 57 f.

⁵⁹ *Al-Aṭāya al-nabawiyya* X, 1, p. 187.

⁶⁰ Al-Sha'rāwī, II, 7, pp. 12 f.

⁶¹ Cf. Johannes J. G. Jansen, *The Neglected Duty* (New York 1986), p. 125.

⁶² Al-Sharabāṣī, I, p. 609.

⁶³ *Ibid.*, I, p. 323.

⁶⁴ Shaltūt, pp. 205 & 207.

between the tenor of the advice given by the Indian scholar Aḥmad Riḍā⁶⁵ Khān to his particular clientèle, chiefly consisting of naive country folk, and the expert opinions prepared by the Egyptian man of learning, Shaykh Shaltūt, for the machinery of government. Apart from that, at the same time a tendency shared by all these *muftis* is a disguised pursuance of pliancy. "Necessity knows no law,"⁶⁵ and an illicit remedy may be applied if a patient will otherwise lose his life. The underlying idea is: God intends comfort for man, and not hardship.

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⁶⁵ Cf. Qur'ān II, 173; VI, 145; XVI, 115, where it said that God is merciful and forgiving to a person who is constrained to violate food laws.

BOOK REVIEWS

Living Stones: A Jerusalem Seminar Journal and Reflections on the Israeli-Palestinian Peace Process. By Lucinda Allen Mosher. Preface by Ibrahim M. Abu-Rabi'. Pomfret: Pomfret Press, 1995.

It has frequently been noted that a journal or a diary can be the most difficult kind of narrative to review since each is essentially a recollection of events as seen through the author's eye with all sorts of experiential biases implied. *Living Stones* by Lucinda Allen Mosher is not different in that regard. *Living Stones* is a personal story of a twelve-day trip to Israel in 1994 sponsored by the Hartford Seminary. This was not the standard putative tour of the Holy Land where one would experience the realities of the Old Testament and walk the paths that Christ walked; rather, it was a Jerusalem Study Seminar on Religion, Justice and Peace and was intended to provide the participants with a sense of the historical, political and social tensions, which, in some way unite, but, in many other ways, separate the people in this troubled part of the world. For most participants who were not experts in this field, this was a potentially daunting undertaking, yet the excitement of it was palpable in this contingent of about twenty five people.

The author guides us gently and patiently through each segment of the seminar beginning with a two day orientation in Hartford to acquaint us with the dynamics of the region, its history and its future. Speakers representing the three principal Abrahamic traditions—Judaism, Christianity and Islam—spoke to participants at length and provided a unique perspective rooted in their own experience and interpretation of local events. Though each came from a different tradition and interpreted events in the light of that, there was nevertheless a clear convergence of thought in terms of developing a unity of purpose. The presence of colonial and other foreign influences has had a clear and not surprisingly negative influence on the growth and development of the region and is one of the important factors required in sorting out the conflicting positions of the parties.

The history of this part of the world is not easy to grasp. Most of us have devoted insufficient time and energy in understanding this complex region. It is only within the last thirty or so years that Westerners have begun to take any interest whatever in the Middle East, and this more from a policy and national interest perspective than from a fundamental desire to understand the people of the region and the nature of their problems.

Perhaps in no other part of the world have local and ethnic interests been trampled on more vigorously than in the Middle East. Territorial claims have established the basic dimensions of the problem and claims of Biblical rights have encountered rights of possession. The current conflict is partially over territory and partly over religion, but it is more than that as pointed out to the seminar participants. It is a struggle over nationhood and over politics and over the right of self-determination. Peace is an illusive thing and will not be achieved simply by a mere desire for it, but will come only as a result of a willingness to cooperate with each other and within reason to trust each other. This is not an easy thing to accomplish in the Middle East. There are the beginnings of such efforts on a grass roots level where dialogue on substantive issues is taking place, but it is only a beginning and without an interest in reconciliation, the other choices, surrender or war, will continue. Reconciliation is not mediation or capitulation; it is a process among people of good will truly interested in peace.

As Mosher points out, there are two fundamental fears which dominate the landscape: the Palestinians' fear that justice will continue to elude them at the hands of the Israelis and the Israelis' fear for their security as a military occupier in a disputed land. To the Palestinians, the concept of justice means equality of treatment with the Israelis on every level; since 1948, when their land was arbitrarily divided and taken from them, the kind of justice experienced by the Palestinians has been arbitrary, selective, and unequal. Some, according to Mosher, have said that the condition of the Palestinians in their own country is not too different from the Apartheid associated with South Africa. This is not necessarily too broad a charge given the fact that

Palestinians have regularly been denied travel rights, occasionally rights to attend mosque, rights to drill for water to irrigate their crops, equal access to education, access to financial capital to start small businesses, and yet are taxed heavily and receive virtually no services in return. It is little wonder that there is a sense of disenfranchisement and abandonment among the people. All the experts agree that unless the Palestinian people achieve "real" justice, Israel will never experience "real" peace. Mosher relates a concern expressed by many Palestinians about the peace process, specifically the so-called Swiss Cheese Theory. This theory suggests that by giving Gaza and Jericho to the Palestinians to administer, the Israelis have really given them the holes in a piece of Swiss cheese, not the cheese itself. They reason that there is still almost total dependence by the Palestinians on the Israelis for the essentials of life simply because these "holes" are not contiguous. In short, the view is that the Israelis have relinquished to the Palestinians two areas they found extremely difficult to administer themselves without giving over to them any significant autonomy or sovereignty. Like all theories, this one too is arguable, yet it is embraced by many.

For the Israelis, they live in constant fear of their security, feeling that behind every Arab headpiece, there is a bomb thrower or assassin. Historically, they have had reason to fear since fundamentalist groups have sworn to throw them into the sea. Yet somehow, this paranoia seems to have taken on a life of its own and unfortunately results in a disproportionate level of oppression against the Palestinians. Mosher wonders how the Jews can victimize an ethnic and religious minority given their own experience in the Holocaust. She says that one would expect the Israelis to be more sensitive regarding the treatment of other peoples, especially where race or religion are involved. To do what they do and do it in such an efficient and unfeeling way seems schizophrenic. She wonders why memories are so short, or is it that they simply do not want to acknowledge this weakness in their national psyche.

To achieve peace given the hardened position of the contestants is to some a *velleity*. Yet it is clear that people of good will on both sides of the question have dedicated themselves to this objective. In some ways, the formality of the peace process has raised the level of consciousness regarding the condition of the Palestinians. According to Denis Madden, one of the lecturers,

The picture we get is that the US and Israel think the Palestinian/Israeli conflict is on the way to being solved, that the only obstacles are right wing Jews and Muslim extremists, and perhaps a few left-wingers. This is upsetting. Peace is not on the way at all. According to what has already been done, the basic issues for the Palestinian people have not been addressed. The refugee problem has not been solved, and from what we hear, it won't be. The Israeli government is working to deny the problem exists or to escape discussing this issue, pushing it further down on the agenda. However, this is a very substantial issue for us.

Mosher makes it abundantly clear at numerous points in her narrative that the US view of life in the Middle East is clouded by an ignorance of events on the ground or at least an unwillingness to recognize them for what they represent. Americans very definitely have a distorted view of Islam as a religious tradition and an unrealistic picture of the typical Arab which is generally sinister and foreboding. There is a very strong anti-Palestinian bias for most casual observers of the scene. These false images result from a broad based media treatment of the two sides which is very uneven, frequently unfair, and often inaccurate. The consequences of this treatment have both short term and long term effects: in the short term, American and world opinion is likely to be sympathetic to the Israelis because of their treatment during the Holocaust; and for the United States, this sympathy or moral support has manifested itself in large foreign aid packages in exchange for certain defense guarantees. There is also a strong and vocal Jewish lobby in the US which effectively influences events in this part of the world. There is no comparable advocacy group for the Palestinian cause. By continuing to recognize the Israeli point of view while ignoring the contrary argument, we reinforce a flawed policy which is inimical to the interests of a very large minority population. In the long term, however, our largess and moral support of Israel and its policy toward the Palestinians have created a backlash of emotion and distrust among the Palestinians which now make peace very difficult to achieve. In order for real peace to come about, there must be a genuine willingness to share the land on an equitable basis, not simply control it through massive military strength.

So where does this leave us? The author is generally optimistic about the outcome of this physical and psychological conflict. She sees the participants as people of good will who have put their political careers on the line for peace even in its inchoate form, while recognizing that great compromise and understanding are required to achieve it. The level of compromise for the Palestinians is no less than for the Israelis. Both sides are experiencing considerable sniping from the ideological sidelines which continues to delay real progress toward peace and real justice for the Palestinians. In the mean time, there will be bombings and retaliations to bombings and then more bombings.

Although I was on this study seminar, I would not have attempted to write such a narrative and, were I to do so, would not have been able to maintain such a scholarly and generally objective point of view. Mosher has an evenness of approach to these highly charged issues which gives her credibility to accurately tell the story of the conflict without becoming involved in the emotions of it. Her writing style is factual and fluid and imbued with a certain sense of rectitude. She successfully integrates often conflicting views and attitudes with the balance of a ballerina and the thoroughness of a diplomat. She has walked a narrow path in her pursuit of the truth as seen by the participants, yet has maintained a level of neutrality where taking sides is *de rigueur*. Having captured the essence of the extraordinary suffering which is endured daily by the Palestinians in their search for justice, she nevertheless takes a positive attitude about the long term outcome of the conflict. Mosher looks at the situation with a faith human nature that is difficult to justify given the history of these people. Yet she is resolute in her confidence that peace will come and justice will prevail, if for no other reason than it is what God ordained for His people.

Her message is clear and unmistakable, and that is to be just in the administration of justice and to share the land as God intended it to be shared. While acknowledging that there is room for criticism of both sides and clearly room for greater understanding, she recommends moving beyond the present difficulties to a more constructive reality. This little book, which is fairly narrow in focus and dedicated to just twelve days in the life of a divided land, is one that had to be written. It is a timely account of a process or even a mating dance between two parties who hardly know each other even though they have lived together for many years. Clearly, they are very awkward and uncomfortable with each other and concerned about every nuance of public inspection. It is a story of good people on both sides of the conflict who are patiently trying to find justice and security in a place where both are in short supply. It is a story of ambiguity and intolerance and even unholiness in a land that is described as holy. It is the story of a land in transition where sacrifices, unselfish behavior and extraordinary compromises occur daily. It is a story of faith in things unseen, but experienced on a metaphysical level. It is the story that requires the gentleness of Lucinda Allen Mosher to tell in her special way, effectively and dispassionately. It is a story truly worth reading.

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JOHN B. WALSH



Essays On Islam: Felicitation Volume in Honour of Professor W. Montgomery Watt. By HAKIM MOHAMMED SAID, editor. Pakistan: Hamdard Foundation, 1993. x plus 241 pp. n. p.

The Hamdard Foundation dedicated the second volume of *Essays on Islam* to Professor W. Montgomery Watt for his scholarship and erudition in Islamic studies. This volume contains fourteen articles which address two major themes. The Qur'an and how it should be recognized and understood today and modern scientific challenges to the Qur'an. The latter theme raises the question of whether the Qur'an can withstand the challenges of science.

Authors of chapters one to eight attempt to ascertain the quality, originality, universality, and cohesiveness of the Qur'an. Evidences are drawn from multiple sources—the Qur'an, *Hadith* history, and modern sciences, to prove that the Qur'an is the only extant scripture which has not been tampered with since its revelation 1400 years ago. All other scriptures, these authors allege,

have been rewritten, corrupted, adulterated, and misinterpreted by their followers. In corollary, non-Muslims hold no true scriptures, and therefore their religions are suspected, erroneous, and eventually will fail to rescue humanity from its present predicament and chaos. Islam alone, these authors believe, can provide cures for human problems if people follow the Qurʾān.

However, in order for the Qurʾān to be a living scripture for a modern person, Sayid Ḥamid points out that it should be reinterpreted in a liberal way. (50) He says:

[The] Qurʾān is dynamic to the core; it has, therefore, to be dynamically interpreted. . . . to keep abreast oftimes and to get the full benefit of God's own Word, we must interpret some of its *avats* in the context of our own time and in the light of present-day knowledge and situation. (p. 54)

Many authors express similar ideas as above and emphasize the relevance of the Qurʾānic message to the present-day problems. They quote numerous verses to reiterate the importance of taking into consideration the spirit of Islam rather than to stick to its letter. Yet, no specific methodology has been proposed or set up by these authors on how the process of new interpretation can be conducted, or how Muslim students can be trained to be innovative in their understanding and interpretation. To claim that the Qurʾān contains a solution to all human problems is one thing; to identify how these solutions are applicable to our daily problems is another thing. Professor Watt, to whom this volume is dedicated, pointed out in his work, *Islamic Fundamentalism and Modernity*, (pp. 8-11) that one of the major problems of the Muslim scholars today has been the attitude of self-sufficiency and self-assertion, the pride that Islam has all solutions to all problems and thus does not need to borrow from others. But where are these concrete solutions in practice?

Chapters nine to fourteen, which constitute the second part of this book, deal with how the Qurʾānic verses have predicted modern science's discoveries. The authors claim that what has been discovered today through modern sciences—geography, astronomy, biology, historiography, do not contradict the Qurʾānic assertions, especially about the creation and origin of man, origin of the earth, the movement of the sun and moon, and the complex nature of our galaxies. If the Qurʾān is not the word of God (as believed by the Muslims), it should conflict with modern sciences.

In chapter thirteen, Farooqi vividly points out that man has developed technically in all spheres of life; man believes wrongly that the material affluence can automatically lead to happiness and enrichment of human life. To Farooqi, material affluence cannot afford man a real happiness because material has been taken as an end in itself; whereas, the end aim of human beings is to recognize the supreme being—Allah. Human beings can win success and live peacefully only when they recognize all humans as one community, created by one creator—Allah, and try to deal with one another with justice. (p. 207)

Ghulam Aasi, in the last chapter, explicates the meanings of *Dīn* (religion), *Millah* (religious traditions), and *Umma* (religio-moral and social political-community), and how they are used in the Qurʾān. He affirms that the true meaning of *dīn* (religion) implies obedience, submission, and the worship of Allah. This concept of obedience and submission, is shared, in Aasi's view, by all revealed religions. He links it to the concept of *dīn al-fiṭrah* (religio-naturalis). That is, it is the nature of all creatures to recognize their creator, willingly or unwillingly (Qurʾān 21:25).

Aasi further elaborates that Islam recognizes other religions, and therefore it (Islam) cannot be regarded as exclusive religion. To him, "all religious communities have shared in receiving the one and the same true religion." (p. 231) Nevertheless, many nations veered away from the truth, tampered with their books, altered their religions, changed their scriptures, and distorted their meanings, which to Aasi necessitated the revealing of the last message, the Qurʾān, to put human beings back to the right path.

In his conclusion, Aasi suggests guidelines for conducting dialogue between Muslims and non-Muslims. (p. 239) One wonders how dialogue can be fruitful when one religion has taken the side that its religion is the only truth. Many Muslims hesitate to admit such an exclusive notion of religion despite a clear evidence from the Qurʾān ch 3:19, 85 that the only acceptable religion to Allah is Islam.

Despite the quality and the depth of knowledge about Islam the contributors in this book possess, there are two things which the audience should be aware of. The first is that some authors end their writings with quotations from Muḥammad Iqbal's works in Urdu language (p. 90, 102, 120, and 126). There was no attempt to translate these quotations into English; as if the works are written for an Urdu speaking audience. I also found Raymond Herbert's article on "The Āyāt al-Kursi and the Asma al-Husna on a Sulghurid Amulet" irrelevant to the general themes of the book. Of course, the discovery of the tablet on gold is a useful thing but I wonder how it relates to the topics discussed in this collection. In addition, this volume has no subject index in the end, no glossary of Arabic terms (despite the abundant use of Arabic words in the texts), and no bibliography indexes, thus limiting the usefulness of this book for research purposes.

Apart from the shortcomings indicated above, this work provides considerable information about the importance of the Qur'ān, its authenticity, and its capability to provide solutions to some human problems today as claimed by the authors. I strongly believe that many Muslims will benefit from this book.

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YUSHAU SODIQ



The Islamic Movement In North Africa. By François Burgat and William Dowell. Center for Middle Eastern Studies, University of Texas at Austin; Austin, Texas, 1993.

Any attempt to understand the rapidly changing political landscape, upon which the Islamic movement has spread, requires an intense and broad perspective. Burgat and Dowell provide the reader with excerpted speeches from key Islamic leaders and specific analysis of the political realities on a nation by nation basis. The authors strive to avoid the label of orientalist when presenting their analysis of critical issues by presenting key Islamic perspectives whenever possible.

When evaluating the role of government, Westerners need to familiarize themselves with the Islamic concept of *umma* or spiritual community, as a compliment to a Western understanding of a secular democracy. The Western reader must consider that the emerging context for change in government in North African countries is not usually one of a participatory representative political process. The militant language of Islam sounds threatening even to Muslims whose social system is being uprooted. It is a often, by necessity of circumstance, a language of extremism.

The "friendly" regimes depicted in the Western press frequently have resulted from the adaptation or imposition of a form of representative government based on a European model. From a Western perspective, the Islamic movement represents an unknown likely to be confused with the notion of fundamentalist theocracies, but essentially untested and diverse. In Western terms, Islamism is a vague descriptive label, varying in political context from nation to nation. Burgat goes to great length to clarify Islamism from traditionalism. Activist Christians can readily identify with the desire for social justice that earmarks Islamism as opposed to the romanticized moralisms that pertain to traditionalist agendas. Characteristically, the traditionalist will thrive in a more parochial and rural environment that has not been exposed to Western values. The Islamist is generally politically astute and more visible in urban contexts. The path of violence ascribed to the Islamist is borne of movements trying to find expression in a nondemocratic environments where the cost of protest is most extreme.

Western perception of political events in Islamic states is incredibly naive, where the source of information is frequently through the auspices of the "ally" and oppressor government. The accessibility of media is of course is exacerbated by cultural and language barriers, not to mention religious prejudice. The resulting ignorance of the issues has led to even greater fear of change by Western observers. We have felt comfortable looking at North African societies as

potentially emerging model democracies, ignoring the lack of infrastructure and the legitimate desires of the populace for a less secularized state. Understandably, in the wake of colonial occupation, fervent nationalism flourished in its place. Nationalism itself is a product of the secularized Western concept of nationhood that would ignore centuries of Islamic tradition and social structure. It did not represent the efforts of grassroots popular movements. A new evolving Muslim state can at best only refer to its ancient historical models while it attempts to define itself empirically in a contemporary setting.

Rached Ghannouchi, Tunisian Islamist, explains in part the criticism levied at the Islamic movement;

Our problem is that we have had to deal with the West from a position of psychological and material weakness. Excessively admiring it and paralyzed by our inferiority complex, we tried even harder to ape it and to take whatever it had to offer in every domain. But I maintain that this perverse and unequal relationship with the West is not fatal. Japan piously conserves its traditions and culture, its civilization, and participates nevertheless in the universal development of modernity. Europe did not need to renounce its values to grab from the Muslim East . . . the only way to accede to modernity is by our own path, that which has been traced for us by our religion, our history and our civilization. (p. 61)

Classical Islam has no precedent for democracy as known in the West. The law, *Sharī'a*, is the standard by which consensus governs. The *Shūrā*, as inner circle, does not overtly consider worldly concerns when explicating the law. The question arises as whether or not democracy can exist in Islam? The underlying concern here, Burgat believes, is whether or not values can be honored. In the democratic model, values can and do suffer at the hands of populism. In the Islamic model the final arbitration of value has to be subject to the *Sharī'a*. By contrast, recent trends in Islamic thinking regard the pluralism of Western democratic process as being less of an anathema. Despite lengthy commentary in this text, the potential dimension of pluralism remains controversial and unknown.

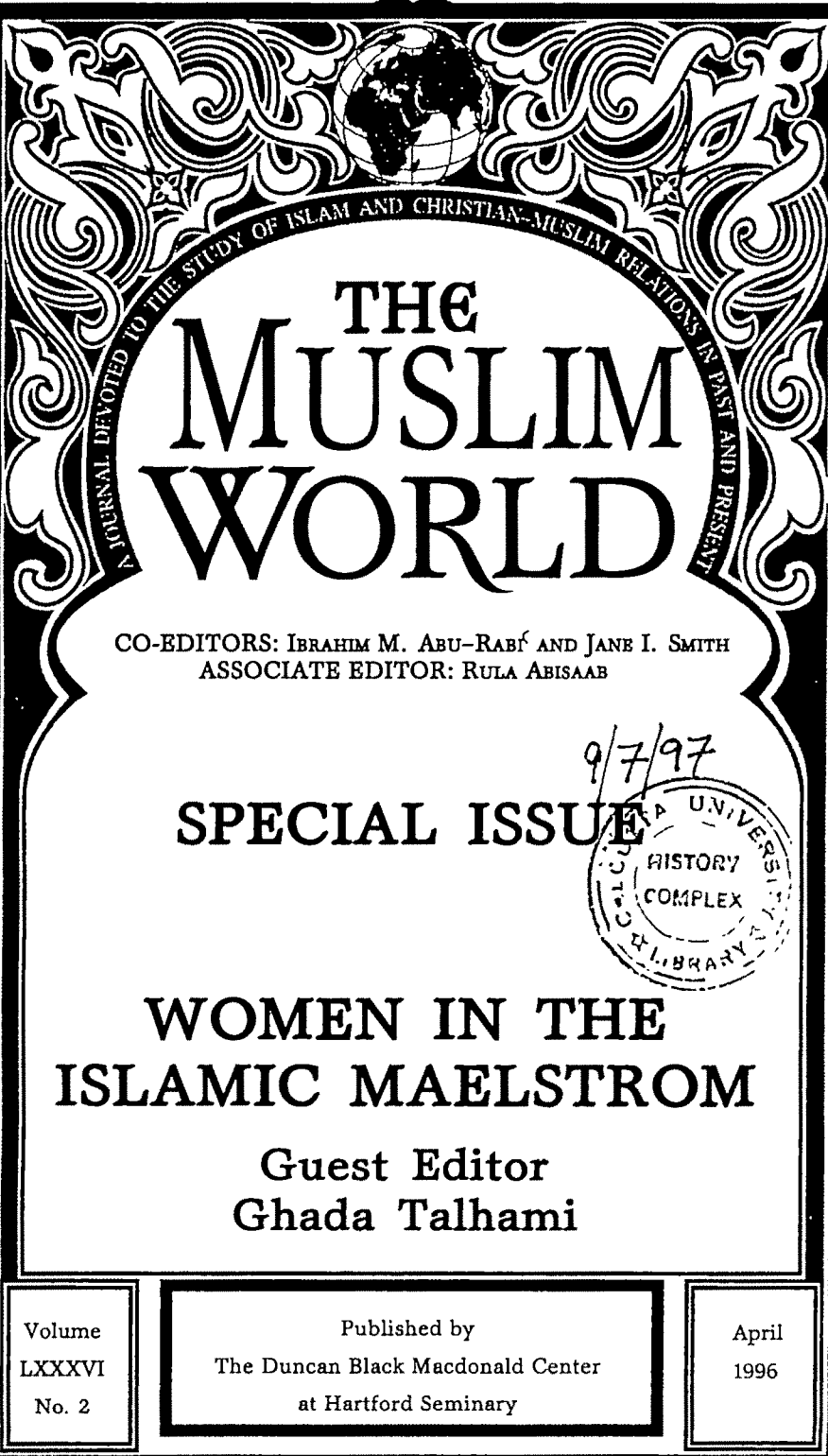
Burgat and Dowell have assembled original sources to provide the reader with an excellent and thorough context in which to understand and assess current political affairs in North Africa. It is a provocative introduction to important issues in emerging Islam, a well documented reference source, and an informed explication of issues.

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GREGORY BREAUULT



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WOMEN IN THE ISLAMIC MAELSTROM

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INTELLECTUAL ORIGINS OF ISLAMIC RESURGENCE IN THE MODERN ARAB WORLD



Ibrahim M. Abu-Rabi^c

Foreword by Mahmoud Ayoub

"This is the most interesting, comprehensive, and intelligible study of the Arab/Islamic resurgence I have read to date. It stands in a class by itself as a learned synthesis of its subject. Its special strength is the richness of Arabic-language source material, looked at with the aid of sophisticated philosophical and culture-criticism discourse."

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INTRODUCTION

When surveying the history of women across the Islamic terrain, one is struck by similarities and differences. Modern Islamic movements impacted strongly on the lives and social roles of women in every case, but the outcome varied according to several factors, the most significant of which was always the political. The struggle for women's souls, not surprisingly, sought to reshape the identity of women as part of the Islamist national project. Subsequently, clashes with the state, though not directly caused by the mobilization of women, invariably resulted in the popularization and evolution of new roles for women. Such were the Islamist/statist clashes in Muslim countries that the feminist issue quickly moved center stage in the dominant public debate.

Surprisingly, not even secular Turkey with its powerful Kemalist legacy escaped this debate. As Cathy Benton's essay reveals, the Kemalist revolution is being eroded slowly by a new Islamist ideology which is challenging the inadequacies and failings of the secular state. But if Turkey was a surprising addition to the growing list of countries currently struggling with the intellectual challenge of a vigorous, though peaceful, Islamic movement, the contours of that movement's feminist project turned out to be very familiar. Women are partially mobilized according to a specific plan of action which seeks to draft them in the service of the nascent Islamic political program. This controlled mobilization rarely results in access to political leadership positions. Serving as the foot soldiers of the new Islamic movement, Turkish women rarely, if ever, advance to the inner circles of decision-making and power. The political exclusion of women is helped along by Islamist philosophical inertia which never questioned or debated the subservience of women. The Islamic movement of Turkey, as elsewhere, continues to gain followers through the liberal dispensing of economic relief and services. Thus, a combination of political populism and economic welfarism help advance the Islamic agenda without the strictures of the issues of gender and class.

The controlled mobilization of Muslim women is also evidenced in SM. Angeles' article on the Philippines' Moro National Liberation Front. There, women's enrollment in the national Islamic struggle has evolved over several years without the emergence of a separate feminist agenda. Because the Islamic struggle in the Philippines is being waged by a peasant movement in defense of land rights, women's activation has rarely approached the dimensions of a social revolution. Only recently, and spe-

cifically in response to the Islamization of the Moro national movement which heretofore adhered to a moderate redefining of the Moro people's identity, did women begin to articulate a feminist agenda.

Women's disillusionment with the excesses of the social revolution sweeping much of the world of Islam, is given expression here by a famed Iranian poet. Simin Behbahani's bittersweet verses decrying Muslim males who inflict the sorrows of widowhood and oppression of a misguided religious zeal on women speak volumes. But it is studies such as Farhat Haq's piece on Pakistan which best illustrate the negative impact of political-Islam on women. As a state created deliberately to safeguard the rights of Muslims, Pakistan carried within its seams an embryonic dualism of secular nationalism and theocratic statehood. This dualism which metamorphosed as a grand confrontation between the modernist Ayoub Khan and Jamaat-i-Islāmī in the 1960s, and between the followers of the socialist Zulfiqar Alī Bhutto and General Zia ul-Haq in the 1980s, had great relevance for women. More importantly, women became a weapon in the battle to legitimate political regimes.

The case of the Sudan by Sondra Hale serves notice that as long as the national identity remains uncertain, the specific identity of women will inevitably undergo several definitions. Using the insights of anthropology, Hale describes the African, Afro-Arab, Nubian, and Muslim-African major identities and the debate over what is the ideal woman. No one understood the ramifications of each identity than current strongman, Ḥasan Turabi, according to Hale. Turabi often made reference to the clash between the Arab and Islamic heritage of the Sudan, a distinction visibly absent from the debates of other countries. In her comprehensive treatment, Hale illustrates that disparate groups such as Sudan's Communist Party and the Islamic movement launched serious attacks on unfavorable aspects of women's indigenous culture. Hale's study, in the end, contributes a definitive answer to many puzzles surrounding the fate of Sudan's vibrant secular feminism of the recent past.

One of the most common aspects of the Islamic impact on women is the success with which modern Islamic movements manage to activate large sectors of women. Mark Tessler's and Jolene Jesse's study provides original data on women's attitudes towards Islamic movements in three areas. The most revealing data describes female attitudes in Palestine, where disapproval of the Islamic movement soars to unusual heights. This study demonstrates the utility of certain social science tools in gauging female perceptions and attitudes and points the way to future areas of research. There can be no more fitting ending to a wide-ranging treatment of women in the Islamic maelstrom than such a study.

Muslim women, clearly, were always buffeted by the powerful wind of social change. With the acceleration of the forces of social change in the recent history of the Muslim world, women's status and traditional roles could no longer be maintained. New ideologies quickly fastened themselves on the issues of the family, female education, and women's role in the brave new Islamist world. Secular Islamic states which adhered to a modernist program invariably took on the question of feminism. But as the ability of secular regimes to assume the role of social arbitrator weakened, new Islamic movements moved to fill the vacuum. Although still mostly barred from the political kingdom, these movements, nevertheless, aspire to political power and control. It is interesting to note that rarely do these Islamic movements spawn a strong female leadership. The emancipation of women is still subject to definition by the male hierarchy, be that secular or religious. Perhaps the one startling fact emerging from this volume is the absence of an Islamist leadership criterion for women.

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GHADA TALHAMI



MANY CONTRADICTIONS: WOMEN AND ISLAMISTS IN TURKEY

Introduction

I have written this article in order that American scholars may get a glimpse into the complex discussion being conducted among Turkish women scholars and professionals about the conflicts they face as women living in a Muslim but secular environment. I have great respect for the many Turkish women who are questioning the parameters of women's roles and identity within a country that is reawakening to Islam but within the complicated context of a modern state.

Before beginning, I wish to thank the numerous Turkish women in Istanbul and the U.S. who helped me see and think through the issues. Though quite busy advising students, running to committee meetings, and keeping track of research and classes, these women created time to talk with me about current political and social happenings in Turkey, and I am most grateful.

Brief historical background

To understand the modern state of Turkey, we must look to its origins in the last century of the Ottoman sultanate. In 1839, under Sultan Abdulmecid, the Tanzimat reforms were introduced to strengthen the state and its administration. These reforms included a secularized judicial and educational system, a secular governmental bureaucracy, and legal rights for minority non-Muslims. The Ottoman sultans had been ruling with the authority and legitimacy of the *Shari'a* in addition to the temporal authority of the sultanate. Under the reformed system, power was to be shared with a state bureaucracy that was protected by law.

Sixty years later, Sultan Abdulhamid II (1876-1909), attempted a return to Islamic law as the basis for a modern Turkish state, but his attempt failed and the scene was set for new leaders who would eliminate Islam completely from the political and public arena. With the advent of the new Turkish Republic under Mustafa Kemal Atatürk,¹ the practice of Islam was redefined as a private affair only, outside the concern and identity of the state.

¹ The name "Atatürk" meaning "Father Turk" was conferred on Mustafa Kemal in 1934 by the Turkish Grand National Assembly. For more information about the life of Atatürk, see

By 1923, Mustafa Kemal and his Republican Peoples' Party had radically transformed the concept of the Turkish state and the shape of Turkish society in a number of ways.

Turkish law in 1926 was totally secularized with the adoption of the Italian criminal code and the Swiss civil code. . . . Under article 163 of the criminal code, it was unlawful to "incite the people to actions which could endanger the security of the state by misusing religion, religious sentiments, or things considered holy by religion."² But it was the civil code that had the greatest impact on society, as it affected family and personal law. Under the new laws, both polygamy and repudiation (a man's right to renounce unilaterally his marriage) were abolished and replaced with civil marriage and divorce in which both parties had equal rights. In 1934, women were given the right to vote in parliamentary elections and to be elected as deputies in Atatürk's one-party state.³

Put into effect by authoritarian measures, the governing of the state was effectively separated from religious institutions, and a national identity grounded in Turkish roots was established, abandoning the strong Turkish Muslim identity of the preceding centuries.

Religious institutions such as the numerous dervish orders [*tarîqats*] were closed; the muezzin was no longer allowed to recite the call to prayer in Arabic (only in Turkish); and men were no longer allowed to wear the fez which had been adopted by Sultan Maḥmūd II in the 1820s for both the Ottoman army and civilian officials. One advantage of wearing the fez was that a man was always ready for prayer, but in 1925, the wearing of the fez became a criminal offense. Kemal Atatürk's intent was to modernize the country, to release it from the hold of what he felt were backward religious ideas. Annemarie Schimmel, one of the foremost scholars of Turkish mystical literature, agrees in part with Kemal's assessment of the majority of the Muslim fraternities [*tarîqats*] at that time, namely that it was very difficult for these institutions to respond to modernizing influences in the early twentieth century.

The large masses remained under the influence of the orders and found consolation in the simple songs and sermons of the dervishes, and in verses like that of Ibrahim Ḥaqqi Erzerumlu, the eighteenth-century Sufi writer:

Michael B. Bishku, "Atatürk's Legacy versus Religious Reassertion: Secularism and Islam in Modern Turkey," *Mediterranean Quarterly*, vol. 3, no. 4, (Fall 1992): pp. 76-9.

² From Dankwart A. Rustow, "Politics and Islam in Turkey, 1920-1955," in *Islam and the West*, ed. Richard N. Frye (The Hague: Mouton, 1957), p. 87.

³ Michael Bishku, p. 84-5.

Let us see what God will do —
 Good is ev'rything He'll do

[at the same time,]... the institutions found themselves unable to respond to the need for modernization and changed outlook. Instead of fulfilling their centuries-old function as centers of spiritual education, they became headquarters of obscurantism and backwardness. That is why Atatürk abolished the orders in 1925 — a step that some of the leading personalities in the mystical hierarchy even approved of. They felt that the spiritual values of Sufism as taught by the poets of Anatolia would survive without the ruined framework of the orders — and perhaps in a more genuine way. And these values are, indeed, still alive.⁴

At the same time, what Atatürk did not understand fully was that although the orders may have been backward and corrupted, their abolition would not eradicate the Islamic values and practices on which they were founded.

More important than abolishing the dervish orders, Atatürk also dissolved the *şeriat* (*shari'at*), the Islamic court system, and the office of *Şeyh ul-Islam* (Sheik al-Islam), the leader of the *ulamā'* who had previously held a cabinet position under the sultanate. In the sixteenth century when the Ottoman empire had extended its reign to the Hijāz, the location of the Muslim holy places of Mecca and Medina, the sultan moved the center of religious power from Cairo to Istanbul and took the title of "caliph" (successor to the Prophet Muḥammad and leader of the Islamic community). Under Ottoman rule, temporal and religious leadership were completely merged in the sultan and the sultanate. Under Atatürk, the abolition of the office of the *Şeyh ul-Islam* and the court system based on the *şeriat* radically reshaped Turkish society and identity.

All education was made secular and placed under the control of the Ministry of Education, and all *medreses* (religious schools) were closed. The government established a new system of schools to train *imams* (prayer leaders) and *hatips* (religious teachers), and a directorate-general to supervise the administration and finances of the *wakfs* (pious welfare associations). Both *wakf* and educational administrative structures reported to the central Turkish government⁵ and *hocas* (the *imam* responsible for a particular mosque) were assigned and paid by the government.

However, Schimmel's statement that the values of the Muslim and Sufi teachers would not die with the abolition of the institutions has proven true. During the years of one-party rule in Turkey, religious sentiments

⁴ Annemarie Schimmel, *Mystical Dimensions of Islam* (Chapel Hill: University of North Carolina Press, 1975), p. 343.

⁵ Michael Bishku, p. 83.

and practices remained quiet and separate from the public sphere of politics. But in 1950, when Kemal's Republican Peoples' Party fell in the elections, a new era of multi-party politics and government began, and religious ideas again began to surface. The muezzin's call to prayer was again chanted from the minarets in Arabic, religious instruction was reinstituted for primary and junior secondary school students, and religious issues again became part of the public debate.

As the government began to live with the new multi-party system, giving more credence to religious groups and legitimacy to religious practice as well as oppressing the Kemalist opposition to these moves, conflict grew intense among the opposing groups. In 1960, the military interceded to reestablish order and to renew the original Kemalist principles of secularism and nationalism.

The 1961 Constitution reemphasized the importance of the state as a secular entity and to this end introduced a number of secularist provisions. This Constitution guaranteed secularism by forbidding the review of those laws which upheld secularist principles. The laws exempted from judicial review were:

- 1) the unification of education
- 2) the abolition of the dervish orders
- 3) the principle of civil marriage
- 4) the adoption of international numerals and the Latin alphabet
- 5) the prohibition of religious dress outside mosques⁶

The Constitution also provided for elections in 1961, but individual political parties had difficulty gaining a simple majority, and again conflict among these parties resulted in opposing economic policies as well as intense conflicts over political ideologies.

In 1971, against this backdrop of opposing economic policies and ideologies, the military again staged a coup forcing the government to resign. Although democracy returned with elections in 1973, problems of political terrorism fueled by severe economic difficulties, as well as conflicts produced by a new Islamist political party called the "National Salvation Party", resulted in a third coup in September of 1980. Again, the military established a new constitution, this time creating a stronger executive and restricting "civic and political liberties,

notably the rights of unions and of association. All existing political parties were dissolved and their leaders and prominent members

⁶ Michael Bishku, p. 88; Şerif Mardin, "Religion and Politics in Modern Turkey," *Islam in the Political Process*, ed. James P. Piscatori, (Cambridge: Cambridge University Press, 1983); Elie Kedourie, *Politics in the Middle East* (Oxford: Oxford University Press, 1992), p. 119.

banished from politics. Extensive repression designed to eradicate terrorism spread over the country.⁷

At the same time, this Constitution loosened the restrictions on the public involvement of religious groups, hoping that a stronger religious presence in Turkey would counter-balance certain Communist/Marxist ideologies. In the elections held between 1982-1990, none of the three major political parties was able to maintain a majority, but new political groups advocating Islamist ideas began to gain strength and participate in the government coalitions.

The National Salvation Party had entered the scene in 1972, representing specifically Islamic and Islamist ideas. With the restrictions placed on political parties and their leaders by the military and the 1982 Constitution, this party was dissolved. But by the early 1990s, the Refah (Welfare) Party representing an Islamist ideology had established itself as an even more serious contender in national politics.

In the municipal elections of March 27, 1994, members of the avowedly Islamist Refah (Welfare) Party were elected to mayoral positions in 28 municipalities including Istanbul and the capital city of Ankara.⁸ By October 1995, although holding only 38 seats in a 450-seat Parliament, the Refah Party "stands fourth after Prime Minister Tansu Çiller's True Path Party, the opposition Motherland party and the social democrat Republican Peoples' Party."⁹

Fifty-seven years after the death of Atatürk, Turkey is once again being pushed to redefine its Muslim identity on the political as well as social level. Before examining the social elements of this question, we should look first at the political party which presently acts as a catalyst and magnet for many of these issues.

The Refah Party and Women

Heir to the National Salvation Party of the 1970s, the Refah Party has succeeded in part because of a strong grassroots organization, door-to-door canvassing, and financial backing from an Islamic country which is commonly assumed to be Saudi Arabia. Though I found no written documentation of this financial arrangement, I was able to collect stories from various individuals about the strategies used by the party to win votes.

⁷ Ali Kazancigil, "Democracy in Muslim lands: Turkey in comparative perspective," *International Social Science Journal*, v. 43 (May 1991), p. 353.

⁸ Ayşe Saktanber, *New Perspectives on Turkey*, no. 11 (Fall 1994), p. 103, footnote 4.

⁹ Suna Brdem, "Turkey's Islamist women tea-party toward power," *Turkish Daily News* (Monday, October 9, 1995): p. A3.

One university professor I spoke to said that Refah men sit in traditional tea houses and offer support to men from rural areas who are struggling in their new urban environment. According to my informants, such support ranges from money, gold, food, and cars to help finding jobs, apartments, and medical care. A professor from Boğaziçi University, explaining this system to me, said that Refah steps in and helps immigrants usually from rural areas or small towns in Anatolia by recreating the patronage system of the rural areas. In return for this help, Refah gains the votes of this rapidly growing population of city-dwellers new to the demands of urban life and looking for a support system in this tough environment.¹⁰

In addition to tangible assistance with day-to-day needs, Refah also stands for an ideology and a way of life which reflects the conservative religious ideas held by many of these new immigrants. Facing the problems of getting settled in large cities like Istanbul and Ankara, religious faith provides important support not only in the form of belonging to a community which offers friendship and perhaps work, but also in the deeper sense of belonging to a community held together by a shared identity of belief. The ideology and activism of Refah is situated in the midst of this strong community identity. Supporting Refah is entirely consistent with the views and beliefs of this immigrant population.

Appealing to women as well as men, Refah sends their women to reach out to village women struggling in their own ways to survive and feel safe in the city. On October 9, 1995, the *Turkish Daily News* ran a feature article describing the roles women play within the Refah Party structure. One of the most important of these roles is women's participation in the Party's coordinated effort to canvass the public for new members and votes.

A growing band of energetic, tea-partying women volunteers is giving a boost to Turkey's Islamist Welfare Party (Refah Party), improving its chances of making an impact in general elections due by next autumn. [1996]

Their tireless campaign of one-to-one meetings, conferences and tea party discussions has raised the party's profile at a time when many Turks are disillusioned with mainstream parties they see as out of touch with the public. . .

In an orchestrated campaign, volunteers were instructed to invite friends and relatives for tea and wait for an opportunity to introduce politics into the small talk. Many guests were shown videos of

¹⁰ Conversation at Boğaziçi University, Istanbul, 4 October 1995. In order to preserve the privacy and confidentiality of my informants, I have used pseudonyms rather than actual names throughout this article.

speeches by RP leader Necmettin Erbakan and given gifts of calendars or perfumed handkerchiefs. . . .¹¹

This newspaper account is as interesting for what it does report as for what it leaves out. Though the gifts and individual attention may account for part of Refah's appeal, the Party's support for a more traditional Islamic lifestyle also resonates quite strongly with the beliefs of these women.

In October 1995, I spoke with an American college student whose mother is Turkish and father is Albanian, and who identifies herself as a Turkish-American Muslim woman consciously trying to live her life according to the precepts of Islam. This student who I will call Ayşe¹² spoke of the Refah appeal to young women in her age group (late teens and early twenties.) Ayşe is eighteen years old, speaks fluent Turkish, has grown up in the U.S. and has spent varying lengths of time in Turkey visiting her relatives and attending one year of high school in Istanbul. Having attended several women's conferences sponsored by the Refah Party, Ayşe was quite taken with Refah promises to create a better society based on living the religious ideals of Islam. When asked whether Refah would allow the practice of other religious traditions in this projected society and would protect the rights of more secular Muslims, she explained that Refah leaders had specifically promised to do so. Refah, Ayşe is convinced, will create a religious state without forcing people who prefer more secular lives to conform to Refah's interpretation of Islamic law and practice. In Ayşe's view, Refah leaders will implement their plan with justice and wisdom.

However, many women who identify themselves as secular Muslims are not so trusting. Several highly educated, young and successful businesswomen I interviewed spoke openly of their feelings regarding the strategies and goals of Refah.

Refah is dangerous. . .

Refah buys votes with cars and gold. How can we trust them? . .

Their way is unacceptable to most educated Turks. . .

When I pressed these women further about their fears, they said that Refah leaders do not respect the rights of women and ultimately their goal is to push women back behind the veil.

A prominent businessman with whom I spoke about Refah and its impact within the business community said that one of the large holding companies in Istanbul, Ihlas, is owned and run by a family who are open

¹¹ Suna Erdem, "Turkish Islamist women tea-party toward power," *Turkish Daily News* (Monday, Oct. 9, 1995): p. A3.

supporters of a more self-consciously Muslim lifestyle, and of the Refah Party. In his experience, this businessman has found Ihlas to be a successful company run by people who are easy to work with. In fact, Ihlas has captured an interesting niche in the market, designing fashionable clothing styles for women choosing to wear Muslim dress¹³ rather than western fashions. Muslim dress is becoming popular as its own fashion with magazines and shops that cater specifically to this style and Ihlas has adopted a business strategy that addresses the needs of these women. Ihlas' fashion business as well as their media outlets, in print and on television, address the concerns of this community which consciously identifies itself as Muslim.

In addition to these successful business strategies, Ihlas (like other large holding companies) also wields influence in the political arena. By no means on the fringes of the centers of power in Istanbul, Ihlas recently sponsored a meeting between a religious leader respected among Turks in Europe as well as Turkey, Fetullah Hoca, and a number of Turkish political leaders. Though Fetullah Hoca is known as a sincerely religious man who maintains a clear distance from the Refah Party and its positions, his meeting with prominent political leaders does reflect the growing attention being paid by politicians to specifically religious concerns.

Shifting to issues of women in the workplace, when the same businessman was asked about the number and types of positions of women in Ihlas, his answer surprised even himself. Upon reflecting, he realized that he had never seen women in the offices he visited at Ihlas, and that every time he had called, the telephone had been answered by a man. He felt sure that women do work for Ihlas but that female employees would most certainly be "covered," work in an area separate from the men, and hold lower level positions.¹⁴

In terms of attitudes toward women, this conversation indicates not only that large companies like Ihlas can institute such business practices with the intention of living as conscious Muslims, but also how easily secular Turks can "accept" this practice of relegating women to lower level positions, almost without noticing.

¹² Ayşe is a pseudonym I have assigned this young woman.

¹³ In Turkey, this fashionable Muslim dress consists of a long coat, although lengths vary, of almost any color with long sleeves and buttoning up the front to the neck. I saw a wide variety of coats from those made of blue denim fabric with very fashionable pleats and gathered yokes in the back to the more plain grey and navy blue straight styles.

In addition to the coat, a fashionable "covered" woman wears a scarf which can display almost any color and design. The scarf is quite large so that when folded diagonally and wrapped around the head, it covers the hair and neck completely, as well as most of the forehead.

See also quotation on p. 28 by Ayşe Kadioğlu, footnote number 38.

¹⁴ Conversation in Istanbul 4 October 1995.

One woman who directs a women's advisory group in Ankara was interviewed for the *Turkish Daily News* about Refah's treatment of women and women's issues:

Oya Fisek, head of a women's advisory group in Ankara, which has an RP [Refah Party] mayor, says RP municipalities are hostile to women. 'We had to take a municipality to court because they wanted to close down a women's shelter citing lack of funds,' she said. The shelter is one of only eight in Turkey and houses about a dozen women, mostly victims of male violence and rape."

The RP and the male Muslim elite can alienate devout women [also]. . . . RP members agree the party has a serious publicity problem. 'There's a psychological barrier,' said Kocatepe [male Refah Party mayor of the town of Kayseri]. 'Many in RP still have a harem mentality.'¹⁵

In addition to questions about the treatment of women and the positions open to them, many Turkish women and men fear that with the establishment of Islamic law under Refah leadership, individual rights might be sacrificed to create an Islamic state, in spite of Refah statements to the contrary.

In September of 1995, in a surprising and courageous move, Sibel Eraslan, longtime Refah party worker, gave an interview to a women's weekly publication with a primarily liberal and female readership, *Pazartesi*, to discuss the Party's attitude toward and treatment of women,

Sibel Eraslan, seen as key to Brdogan's [Istanbul mayoral] election, was removed from her job at the head of Istanbul's RP women after demanding higher party posts for women following the vote. "It seems that the militant women working in the poor suburbs were to go home, and women more suitable to the 'shop window' of government and who do not have a problem with men were to take their place."¹⁶

A Women's Studies professor I spoke with,¹⁷ commented on this interview and said that within Refah, women are not allowed to climb the established hierarchy of power within the party ranks. Although the party knows how to build relationships with a certain constituency of women in order to get and keep their votes, the predominantly male leadership has no intention of allowing women to hold positions of power within the Party.

¹⁵ Suna Erdem, *Turkish Daily News*, p. A3.

¹⁶ *Ibid.*

¹⁷ Conversation at Boğaziçi University, 9 October 1995.

The Larger Islamist Movement in Turkey

Although the Refah Party is by far the most visible element of the Islamist movement in Turkey, with a platform focused specifically around creating a more self-consciously religious society and government, the Islamist movement contains other interest groups and as such is larger than simply those who see themselves as supporters of the Refah Party.

For example, three Islamic banking institutions currently operate in Turkey¹⁸ according to Islamic banking principles that proscribe the taking of interest as profit, but which do allow the setting up of social trusts called "*wakfs*" which distribute earned profits for the good of the community. On large billboards in Istanbul, these *wakfs* advertise their contributions to various community services such as medical clinics, housing construction in poor areas, food distribution, etc. A natural partnership with the Refah Party has also been forged with these *wakfs* allowing Refah to offer these services to Party members who are in need.

However, the success of each of these banks relies on a special law granting Islamic banking institutions certain privileges not allowed to commercial banks. These special arrangements date back to 1983 and the Motherland Party's bid for election. With the support of the Islamic revivalists, the Motherland Party installed Turgut Özal as Prime Minister in December of 1983.

Eight days after being elected to the office of Prime Minister, Turgut Özal signed a decree "Regarding the Foundation of Special Finance Houses." Turgut's older brother, Korkut Özal had been negotiating with Saudi and Kuwaiti dignitaries for several years, and this decree allowed special privileges to Islamic banks that are still in force today. This law also forged the Motherland Party's alliance with the religious conservatives in the government.

[This law] reserved for the Prime Ministry the right "at all times" to supervise [Islamic finance houses]; . . . exempted them from the provisions of the banking law regulating other commercial banks; . . . [and provided that] only 10 percent of their current accounts and a mere 1 percent of their much larger participation accounts were to be blocked in the Central Bank, whereas other banks lost the use of 10 to 15 percent of their deposits.¹⁹

A professor at Boğaziçi University explained that this law which allowed Islamic banks such as Al-Baraka to operate with much lower reserve requirements, to advertise in ways which are illegal for commercial banks, and to reap the benefits of certain tax privileges was passed to bring hard

¹⁸ Al-Baraka Turkish Finance House, Faisal Finance House, and Kuwait Finance House.

currency into the Turkish economy, as well as for political reasons. But the presence and strength of these banks within Turkey also results in the continued presence of the particular religious and social perspectives represented by these banks.²⁰

Another example of the larger Islamist presence in the country is a dormitory near Boğaziçi University run specifically for young women university students who have chosen to live in a consciously Muslim community. Though I was not able to visit this dormitory, university students spoke of hot and cold showers, beautiful furnishings, individual computers for the use of every student, and even stipends for the women who lived there. The young women who live in this house wear appropriate Muslim dress both in the dormitory and on the campus (the headscarf and long loose-fitting overcoat) thus maintaining a conservative Muslim presence at the university. Although no one seemed to know how this institution was financed, most people assumed Saudi money was involved either directly or through a *wakf* organization.

Other Islamist voices are represented in the Islamic journals now published for men and women encouraging traditional family structures and roles, as well as discussions of how best to uphold Islamic morals and beliefs in a secular world.²¹

Although outlawed under Atatürk, the religious orders, the *tarikats*, are also gaining popularity once again, functioning often as the impetus to form community centers for people from rural areas who have migrated to the cities.

Ironically, the Islamists are allowed by the democratic structures of Turkey to establish institutions and speak openly of their goals, while they envision a future which some feel would preclude such a democratic organization in favor of an Islamic state. Ali Kazancigil speaks the thoughts of many urban, often university-educated, secular Turks in his description of the current situation:

While taking advantage of the action opportunities offered by the democratic order, and even of a certain governmental complacency,

¹⁹ Clement Henry Moore, "Islamic Banks and Competitive Politics in the Arab World and Turkey," *Middle East Journal*, vol. 44, no. 2 (Spring 1990), p. 247.

²⁰ Conversation at Boğaziçi University, Istanbul, 9 October 1995.

²¹ Such magazines are *İslam*, a weekly on current affairs, and *İlim ve Sanat* (Science and Art), a bimonthly journal. For a review of three Islamic women's journals, see Faride Acar, "Women and Islam in Turkey," *Women in Modern Turkish Society*, ed. Sirin Tekeli. Acar focuses primarily on three women's journals, *Kadın ve Aile* (Women and Family), *Mektup* (Letter), and *Bizim Aile* (Our Family), and on a group of nine female university students' responses to the movements represented in these journals in the late 1980s.

Yesim Arat in "Islamic Fundamentalism and Women in Turkey", *Muslim World*, (January 1980), pp. 17-23, also discusses Islamic women's journals.

the Turkish Islamists, like their counterparts in Egypt or Algeria, consider democracy to be illegitimate. On the other hand, the secular powers in the country are sometimes tempted to control them by authoritarian methods which, of course, are incompatible with democracy. That is why the Islamic challenge becomes a test: either the Islamists are finally integrated with the political matrix and citizenship, which they will have to accept as legitimate, or the secular state will control (but for how long?) Islamic movements by authoritarian means, to the detriment of democracy.²²

In the midst of the Revival of Islam in Turkey — Three Issues at the Center of Heated Public Debate: Education, the Treatment of Minorities, and Women as Symbols of National Identity

1. Education

Between 1923 and 1924, the system of education in Turkey was restructured based primarily on the principles of secularism and nationalism. This secular educational institution grounded in the country's own identity as a Turkish Republic rather than in its former Ottoman identity as a community of believers led by a sultan who was at once the ruler of the state and heir to the mantle of the Prophet Muḥammad. (This mantle is literally preserved in the Tokapi Palace Museum in Istanbul.) Religious schools called *madreses* were closed and new schools under the aegis of the state were opened specifically to train *imams* and *hatips*. These religious schools, paralleling secular high schools, were called Imam-Hatip Schools. In this way religious education was separated completely from secular education.

However, religious education is slowly being reintroduced into the "secular" government school system. According to the dictates of the 1982 Constitution, religious classes are now mandatory for students beginning in fourth and fifth grades and continuing through high school. Even though the content of these classes consists of simply learning the history and precepts of Islam, some Turks worry that any religious education within the context of the government-supported school structure may open the door for imparting more intense Islamic teachings and more conservative Islamist ideas to schoolchildren. Such teachings would reject the beliefs of secular Muslims and non-Muslim peoples living in Turkey.

²² Ali Kazancigil, "Democracy in Muslim lands: Turkey in comparative perspective", *International Social Science Journal*, v. 43 (May 1991), p. 356.

In addition to increased religious education in the schools, the last few years have seen an increase in the number of religious schools (Imam-Hatips) built. Reporting on this phenomenon of the 1980s, Peter Waldman of the *Wall Street Journal* wrote on March 1, 1995:

The sleepy Directorate of Religious Affairs became [in the 1980s] Turkey's busiest ministry. Its staff of teachers [hatips] and prayer leaders [imams] increased 70% in the 1980s; the number of Koran schools [Imam-Hatips] soared 80%. New mosques went up at the rate of 1500 a year in the decade, giving Turkey a mosque for every 860 people.²³

In the past, graduates of Imam-Hatips were not eligible to sit either for university entrance exams or for the exams required to qualify for government positions. However, the law regulating Imam-Hatips has been changed. Now, graduates of Imam Hatip Schools are allowed university seats as well as state jobs if their scores are within the specified range. As the previously clear line separating the state and religion becomes more blurred, the domains of religious and secular education are also beginning to overlap.

2. Treatment of Minorities

Although problems between the Turkish government and the vocal Kurdish minority population,²⁴ are reported in the international press from time to time, little attention is paid to a religious minority known as Alevis, a Muslim community with loose ties to Shī'i Islam and comprised of both ethnic Turks and ethnic Kurds. Alevis, approximately twenty million people, are estimated to comprise almost one-third of the Turkish population.

Although Alevi communities exist in other countries, this Turkish Alevi community, which traces its origins to the thirteenth century in Turkey, has evolved a unique interpretation of Islam which is firmly embedded in an Anatolian identity and the preservation of Anatolian customs and culture. Though the name Alevi ostensibly associates this community with Shī'i Islam and their allegiance to the Prophet's cousin and son-in-law, Alī, these Alevis are only very tangentially associated with any form of orthodox Islam, Shī'i or Sunni.

The language of their religious prose is Turkish (not Arabic), they do not practice either polygyny or gender segregation for religious rituals,

²³ Peter Waldman, *Wall Street Journal* (March 1, 1995), p. A8.

²⁴ Particular attention has been paid to the Turkish army's on-going war in urban areas with the Kurdistan Workers' Party known by its Turkish initials PKK, and Kurdish guerilla groups in the countryside who were pursued into Iraq in 1995.

and they have a number of beliefs and rituals which share more with Christianity and shamanism than with orthodox Islam. Historically, Sunnis have harbored great prejudice against Alevis, accusing them of immorality because of the greater autonomy of their women and the mixing of women and men during religious rituals, as well as their use of wine, dancing, and singing for certain religious ceremonies.²⁵ As a result of their religious culture, Turks tell "ethnic" jokes about Alevis associating them with incest.²⁶ Most of Turkey's Alevis live between the Kizilirmak and the Euphrates Rivers, and in the Aegean and Mediterranean regions of the country,²⁷ but in cities like Istanbul, Alevis have established sizeable communities with their own mosques, community centers [*cemevi*], and tea houses.

Because of long-standing Sunni animosity or arrogance toward Alevis, Alevis have typically tried to keep their religious background secret to prevent discrimination in a school or work environment.²⁸ Reporting a conversation with a young Alevi man in Istanbul, journalist Peter Waldman captures this dynamic along with a new willingness to be more open about one's Alevi identity and face the hostilities of Sunni Muslims.

Before, if you asked if I were an Alevi, I'd have said, "Thank God, no. They're into incest," says Cafer Aytan, a 24-year-old Alevi clothing designer, repeating a common Turkish myth about Alevis. "Now we've realized we need to organize."²⁹

Upon asking Turks in Istanbul and in the U.S. to tell me about the Alevi community in terms of their status, their traditional jobs, their visibility in cities, or their religious practices, I found that most educated Turks know very little about Alevis. One woman in her fifties remembered an Alevi woman servant who cleaned the family house, but all she remembered was that Alevis have strict rules about washing their hands — perhaps, she thought, to wash away impurities. A young woman in her mid-twenties spoke defensively at a cafe in Istanbul saying that Alevis are no different from other Turks, that at her university, the prestigious Middle East Technical University, a number of Alevis were students, and in fact one of her university friends was an Alevi woman. When I pressed to

²⁵ Tahire Kocurk, *Matter of Honour* (London: Zed Books, Ltd., 1992), pp. 43

²⁶ Peter Waldman, *Wall Street Journal* (March 1, 1995): p. A8

"In January [1995], a comedian cracked a joke about 'Alevi incest' on Turkish TV, sparking the first-ever street protest by thousands of Alevi youth."

²⁷ Tahire Kocurk, pp. 42-4.

²⁸ Alevis are prohibited by law from using the word "Alevi" as part of their name.

²⁹ Peter Waldman, "As Cultural Restraints Fade, Turks Discover Freedoms — and Fears," *Wall Street Journal* (March 1, 1995): p. A8.

hear more about the family background of this friend, the young woman realized that she knew almost nothing about her friend's family.

With the revival of Islam, particularly under the aegis of the Refah Party, Alevis have experienced a number of incidents in which municipal authorities have attempted to close their mosques, restaurants, tea houses, and community centers [*cemevi*]. Last March (1995), an altercation ensued between members of the police and an Alevi community in Istanbul in which several fatalities were reported in the international press.

The riots began when unknown gunmen opened fire on three cafes on the dusty main street in Gazi Mahallesi [section of Istanbul] on the European side of the Bosphorus. When the police failed to respond promptly, Alawites [Alevis] in Istanbul began marching in protest, and were turned back by policemen firing into the crowds. The death toll was eventually put at 34.³⁰

When Turks living in Istanbul were asked in October how they had viewed this March incident and how they had understood the reasons for this clash, they said they had heard something about it but that the incident had been kept out of the Turkish media. No one knew precisely what had happened there. However, Istanbul residents are aware of the general closing of Alevi businesses and community centers in the last year since the election of a Refah mayor of Istanbul in the spring of 1994. One person gave an example of an Alevi restaurant that had been closed for serving alcohol which is forbidden for Sunni Muslims. Rather than objecting to the selling of alcohol, however, which is legal in Istanbul, the official reason cited health and sanitation violations. Peter Waldman reported on the closing of an Alevi monastery and a small Alevi cafe in Istanbul, the Ezgi,³¹ in *The Wall Street Journal*, and *The New York Times* carried a story on the attempted closing of an Alevi community center in the spring of 1994.³²

But Alevis, like other minority groups in other parts of the world, are not willing to quietly accede to the closing of their restaurants and community centers, retreating again behind closed doors to practice the rituals of their tradition while waiting patiently to be legitimized by those in power. In "recent years, five Alevi monasteries have reopened in major cities, and some 300 Alevi religious societies have sprung up."³³

³⁰ Celestine Bohlen, *New York Times* (Saturday, June 3, 1995): p. 2.

³¹ Waldman, p. A8. In spite of these efforts, the Ezgi Cafe has managed to stay open, remaining a place where Alevi youths may gather to play music, drink tea, and be openly Alevi if they wish.

³² Celestine Bohlen, *New York Times* (June 3, 1995): p. 2.

³³ Waldman, p. A8.

Alevi resistance will certainly create difficulties for those pushing to move Turkey into a more religious identity, an identity based solely in Sunni Islam. Alevis fear that as the principle of secularism is pushed aside and Sunni Islam takes a larger role in the leadership of the country, Alevis will again be forced to fight for their existence, as Turkish Sunnis have always viewed Alevis as heretics within Islam. An Alevi historian, Reha Cameroglu, feels that "the potential for worse Sunni-Alevi clashes is growing. . . . Compared with the Kurds, who lived peacefully alongside Turks until the separatist movement of recent decades, Alevis and Sunnis have been fighting pitched battles in Anatolian villages for centuries. . . . The system has collapsed; we are searching for something new, but we are afraid of each other."³⁴

3. Women as Expressions of National Identity: Turkish or Islamic?

Although the question of national identity raises issues for every part of Turkish society, women have found themselves in the midst of the debate over this question in a very personal and tangible way. How should Turkish women dress? The issue of whether to be "covered" or not has received and continues to receive attention in the media, on university campuses, and among the family members of individual households.

"In 1925, the wearing of the fez, which Atatürk regarded as 'an emblem of ignorance, negligence, fanaticism, and hatred of progress and civilization,' became a criminal offense."³⁵ Though Atatürk did oppose the veiling of women for many of the same reasons, this view was never legislated because of the sensitivity of the issue. At the same time, urban, educated women entering professional fields began giving up the veil themselves, becoming "modern" women of the new republic.

On the streets of Istanbul and Ankara, as well as on university and high school campuses, women can be seen in a variety of attire from the latest European miniskirts, tights, and heavy black patent leather shoes, to the Muslim overcoat and scarf, to below-the-knee skirts and modest blouses with a headscarf, to American blue jeans and sweaters. The dress of women in Turkey has become the focus of discussion and heated debate in various arenas. Ayşe Saktanber of Middle East Technical University describes how a woman's dress has come to signify political, philosophical, and religious views.

³⁴ Waldman, pp. 1, A8

³⁵ Michael B. Bishku, p. 84; Bishku cites the work of Vamik D. Volkan and Norman Itzkowitz, *The Immortal Atatürk. A Psychobiography* (Chicago: University of Chicago Press, 1984), p. 251-5.

The covering of women has become the mark of Islam's new visibility in urban Turkey since the 1980s. Women wearing long, loose overcoats and headscarves tightly framing their faces and covering their necks and bosoms are now a familiar part of the urban scene, as well as of university campuses. They are usually referred to as *İslamcı* (Islamist) women, sometimes also as *dinci* (religionist), *gerici* (regressive), *irticacı* (reactionary), *kara peceli* (black veiled) or *turbanlı* (turbaned). Thus in the lexicon of Turkish identity, these women constitute a group defined through oppositional terms similar to such epithets as "leftist" women and "feminist" women. The words "Kamalist" and/or "Atatürkist" women have concurrently gained new political significance in denoting women (often professional elites) who, as against the so-called Islamist women, proclaim their allegiance to Atatürk and *İs* principles, i.e. speak from a pro-western, pro-state, secular-nationalistic and gender egalitarian position.³⁶

Ayşe Kadioğlu of Bilkent University in Ankara distinguishes between two types of Islam: "traditional" and "political."

Whereas traditional Islam is confined mostly within the private domain of the believer, political Islam has pushed its way into the public realm. Political Islam sees itself as having a political mission. Political Islamists, furthermore, differ among themselves in their interpretation of this mission; some opt for participating directly in political power struggles to alter the existing system from above by capturing the state apparatus; others with a more populist tendency place primary emphasis on the individual and the means to transform gradually his/her internal value systems.³⁷

Kadioğlu goes on to describe how women's headdress distinguishes women following more traditional Islam from those Muslim women who define themselves more politically. Different styles of headdress reflect the "contrasting background, education, public participation, and militancy of the women who cover their hair.

For example, there is a significant difference between *basortu* and *turban*, both signifying styles of headdress. A *basortu* is a smaller piece of cloth covering only the head and not the neck. It is worn by women who observe traditional customs and behavior and whose

³⁶ Ayşe Saktanber, "Becoming the 'Other' as a Muslim in Turkey: Turkish Women vs. Islamist Women," *New Perspectives on Turkey*, no. 11 (Fall 1994), p. 99.

³⁷ Ayşe Kadioğlu, "Women's Subordination in Turkey: Is Islam Really the Villain?" *Middle East Journal*, vol. 48, no. 4 (Autumn 1994), p. 646.

Kadioğlu refers to two other works for a discussion of "the different currents within the political Islamists...": Nilüfer Göle, *Modern Mahrem*, and Michael E. Meeker, "The New Muslim Intellectuals in the Republic of Turkey," in Richard Tapper, ed., *Islam in Modern Turkey* (London: I.B. Tauris, 1991).

activities are confined to household chores usually without an active role in the public realm. Women who wear the basortu mostly reside on the outskirts of large cities in squatter settlements that were formed as a result of internal migration, and in small towns. Women who wear the basortu include elderly women who were youngsters during the modernizing reforms of the 1920s and 1930s and never internalized the new dress codes initiated by the Kemalists. Their perceptions are pre-Kemalist rather than anti-Kemalist, and they represent a continuation of traditional ways and modes of behavior rather than a missionary, militant image. Women who wear the turban, accompanied by a complementing long coat regardless of seasonal change, undoubtedly represent a more activist group. The turban is mostly an urban phenomenon, and it epitomizes the political aspect of the Islamic movement in Turkey during the past decade. Most women who wear the turban are students in higher educational institutions.³⁸

Choosing to be "covered" or not, as well as choosing the particular style of "covering", involves the larger context of perceived self identity. To frame the question simply around the traditional Islamic precept that teaches the segregation of the sexes, in this case by covering most of the body, is to miss the larger context of how Turkish women, especially in urban areas, are consciously using the issue of dress to make statements about their philosophical and political positions.

Ayşe Saktanber, a sociologist at Middle East Technical University, studied a group of covered women in an urban complex in Ankara from 1989 to 1992. In line with Kadioğlu's distinction between traditional and political Muslim women, these women who were choosing to create an Islamic neighborhood for themselves and their families would be aligned with political Islam. In Saktanber's words, these women chose to "rall[y] together to create an urban space to 'live Islam' as '*şuur/lu* (conscious) Muslims' in the capital city of the secular Republic of Turkey."³⁹

Saktanber argues that when we see urban Muslim women in Turkey as passive and submissive, we lose the ability to see "into the ways Islamic sociability is produced in popular experience, particularly in the experience of women who want to lead their lives according to Islamic principles as defined within a specific political discourse that advocates an Islamic social order as superior over any others."⁴⁰

Saktanber says that "Islamic revivalism in contemporary urban Turkey is based upon a demand for an alternative moral/social order, an Is-

³⁸ Kadioğlu, p. 647-8

³⁹ Ayşe Saktanber, "Becoming the 'Other' as a Muslim in Turkey: Turkish Women vs Islamist Women," *New Perspectives on Turkey*, no. 11 (Fall 1994), p. 105

⁴⁰ Saktanber, p. 103

lamic way of life," . . . and that urban Muslim women who choose to dress in a way that bears witness to their beliefs also wear a kind of "pride, born out of a sense of being close to the essential, in other words, from a sense of being on the true path."⁴¹ The Muslim women described by Saktanber are in her words

crucial agents in the daily articulation and reproduction of Islamic ideologies and the development of various strategies — what I term *strategies of containment and resistance vis-a-vis the secular ethics of modernity* [author's italics] — in their efforts to build an Islamic way of life in a secular order, and hence render Islam a living social practice.⁴²

These urban Muslim women have chosen to resist the "secular form of modernity" by consciously choosing the public practice of Islam. In Saktanber's terms, the question is not Islam vs. secularism but rather how best to conduct one's life as a modern Turkish woman.

Another Turkish sociologist, Nilüfer Göle, argues in her book *Modern Mahrem*⁴³ that Turkish women under Kemalist political and social philosophy were provided with only one acceptable model of modern womanhood, a kind of "national woman." Paraphrasing Göle, this national woman is

socially visible, takes part in public life, is educated and enlightened, is responsible for transmitting the values and the ideals of the nation to young generations, and is either always or is primarily working for the service of her country. Although emancipated from tradition, she does not fall prey to cosmopolitan Westernism. . . . the national woman is dignified, compassionate, and, above all, virtuous and honest. She is the mother of her children, comrade to her husband, and a pioneer of modern civilized life.⁴⁴

Although Göle argues that there are many problems with this model (in particular that individuality is overlooked in the passion for the national community which then does not allow a real place for women in public life), one of the most serious problems is that it offers few options to traditional Turkish women looking for ways to maintain their identity but in a

⁴¹ Saktanber, pp. 104-5.

⁴² Saktanber, p. 105.

⁴³ The word *mahrem* connotes the confidences shared in the privacy of the women's living area; those who are permitted access to the harem, though of different sexes, because they are "within the degrees of relationship forbidden for marriage, thus permitted . . . to be intimate and to have access to the harem." *The Oxford Turkish Dictionary*, H.C. Honey and Fahir İz, second edition (Oxford: Oxford University Press), p. 226.

⁴⁴ Sencer Ayata, "Continuity and Change in Turkish Culture: Some Critical Remarks on *Modern Mahrem*," *New Perspectives on Turkey*, no. 9 (Fall 1993) p. 143.

modern way. In this search for options, the traditional Turkish woman sees primarily two options: the "national woman" and the "Islamist woman." Between these two, she finds a more comfortable home in the images created by the new Islamist movement.

In her critique of Göle, sociologist Sencer Ayata argues that although Göle presents an "important contribution to the literature on Turkish culture," Ayata pushes to move the discussion beyond these two models; the modern "national woman" defined primarily by Kemalism and the Islamic woman defined by the current Islamists.

I emphasize[d] that a framework couched in terms of an opposition between the forces of Kemalism and Islamic fundamentalism (both very narrowly defined) fails to capture the complex range of intellectual, political, and cultural trends and their interactive dynamics in contemporary Turkish society, and remains very restrictive in recording, analyzing, and theorizing social change.⁴⁵

Göle's work has evoked much discussion among academics in Turkey struggling to understand the influences on women in the current political and social climate. Ayata's response to Göle recognizes the radical change produced in the lives of secluded women moving from Ottoman rule to Kemalism, a radical change that paved the way for women's participation in modern public life today. However, in Ayata's analysis, the national Kemalist woman and the Islamist woman are not always so neatly separate from one another. Current choices open to women come out of women's "joint participation in modern and traditional spheres. The relationship between the two is not a zero sum relationship. . . organic change, with continuities, permeations, articulations, etc. predominate."⁴⁶

Urban Turkish women are caught amidst a variety of influences which reflect continuously interweaving traditional and modern forces. Covered women attend classes at Boğaziçi and Middle East Technical Universities exposing them to ideas and practices which are contrary to the parameters laid out in traditional Islamic teachings. Their secularized Muslim friends sporting blue jeans and sweaters go home to households in which the traditional lines between male and female responsibilities are clearly drawn. A young Turkish woman, already very successful in business in her mid-twenties, said that however successful she became, she would quit her job as soon as she had children because she felt it was important for the psychological welfare of those children that she not leave their care to others.

⁴⁵ Sencer Ayata, "Continuity and Cultural Change in Turkish Culture: Some Critical Remarks on *Modern Mahrem*," *New Perspectives on Turkey*, no. 9 (Fall 1993), p. 148

⁴⁶ Ayata, p. 146

Kadioğlu also encourages Turkish women not to view their choices through a bi-polar lens, secular or Islamic, traditional or modern, not only because such distinctions mask the complexities but because these distinctions have been artificially constructed for Turkish women by an Orientalist view of Islam and Muslim women.

Women's public visibility acquired renewed importance during the early republican era when the Kemalists promoted Turkish nationalism and Westernization at the expense of Islam and traditional culture. The Kemalists, in fact were influenced by what Edward Said calls Orientalism, the manufactured Western image of the Muslim world. Anyone who often travels to the United States or Europe cannot help but notice that many Western academics, journalists, professionals, and laymen are preoccupied with the status of women in Muslim societies.

Orientalism is deeply ingrained within the literature that endeavors to shed some light on the internal causes of underdevelopment in Third World Societies.⁴⁷

Societies are classified within a system that sees two polar types, traditional and modern, and modernization is defined as a movement from the traditional to the modern, with modern defined in terms that describe Western societies.

... traditional values, attitudes, and institutions are viewed as highly detrimental to modernization. Modern is usually defined by studying Western societies. Thus, "the traditional dichotomy is largely a *residual* category established by logical opposition to the modern end."⁴⁸ The use of terms such as "underdeveloped," "backward," "Third World," and "peripheral" to characterize societies that are at the traditional end of the continuum is quite common in the modernization literature. In addition to terms that reflect a relationship of economic hierarchy and dependency, there is an increasing tendency to refer to the Islamic nature of some of these traditional societies. . . . Nevertheless, it is possible to argue that Islam is no more repressive than Judaism or Christianity.

The image of the Muslim woman epitomizes the Other in reference to her Western counterpart.⁴⁹

⁴⁷ Kadioğlu, p. 649.

⁴⁸ Quoted by Kadioğlu, p. 650, from Samuel J. Valenzuela and Arturo Valenzuela, "Modernization and Dependency," in Roy C. Macridis and Bernard E. Brown, eds., *Comparative Politics: Notes and Readings* (Chicago: The Dorsey Press, 1986), p. 494.

⁴⁹ Kadioğlu, p. 650.

Kadioğlu's argument that the impulse to characterize veiled Muslim women as backward and oppressed stems from the Orientalist assumption that modernity cannot be reconciled or integrated with Islam, that modernity cannot be described "in Islamic dress," must be taken seriously by both Turkish and western feminists. American feminists in particular often take quite rigid positions in defining what is important for women worldwide, taking little notice of the unique nuance and tone of other cultural perspectives. Kadioğlu is reminding all women not to be so quick to adopt the terms constructed by others, but rather to define "progress" and "identity" in their own terms, terms appropriate and suited to their own frameworks of meaning.

Conclusions

Certainly, the revival of Islam within Turkey and the effects of this revival on women provide continually changing material and perspectives for the on-going discussion among Turkish academics and politicians. Because the issues surrounding the secularism versus Islam debate in Turkey generate such emotion not only for women but for the society as a whole, the benefits and problems of each become difficult to sift out and see clearly. The respected Turkish social scientist Şerif Mardin observed in 1977 that "the salience of the secularization issue in Turkey [has] precluded meaningful discussion on the role of Islam in Turkish society."⁵⁰ Saktanber herself feels that women in Turkey, faced with the discourse of Muslim women, have a responsibility to question the discourse of Western feminism as well. Being part of the Muslim world and at the same time members of a secular society that has guaranteed legal and civil rights for women, Turkish women have a "responsibility to question the andocentric frame of references of Western democracy, civil society and rational individuality."⁵¹ In other words, as a result of their Ottoman and Republican history, Turkish women are in a unique position to examine and question the assumptions and doctrines of both Western feminists and Islamist women.

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⁵⁰ Saktanber, p. 102; Saktanber is referencing Mardin, "Religion in Modern Turkey," *International Social Science Journal*, 29 (2), p. 280.

⁵¹ Saktanber, p. 130.

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WOMEN AND REVOLUTION: PHILIPPINE MUSLIM WOMEN'S PARTICIPATION IN THE MORO NATIONAL LIBERATION FRONT

Philippine Muslim women have been involved in the Moro National Liberation Front (MNLF) for many years. Their roles, however, have not been publicly recognized nor given attention by scholars studying the movement.¹ As their experience indicates, women's participation was initially "regulated" by gender, social constraints and the nature of MNLF activities. However, their activities have expanded through time to serve goals beyond those of the MNLF. This evolution will probably have a more profound impact on both the MNLF and the larger society than it had in the past. From this respect, the noted activism may just be the beginning of a mass-based Muslim women's movement in the Philippines.

This paper attempts to explain the evolution, nature, extent and implications of women's participation in the Moro National Liberation Front. Specifically, it tries to find answers to the questions: How do the women define the problems of Philippine Muslims? What motivated them to be involved in the MNLF? What is their agenda? How do they carry out these activities in spite of their commitments to their homes and families? How did their families react to their activities? Should the Philippine government meet the demands of the MNLF, what are the women's expectations as to their roles in the Bangsa Moro² government if it is established? Hopefully, responses to these questions will contribute to understanding the roles and aspirations of Muslim women in the Philippines and benefit those interested in cross cultural studies of Muslim women.

The main parts of this paper consist of an explanation of the research process, a brief description of the MNLF, followed by a discussion of women's involvement in the movement, and the conclusion. The evolution of women's participation in the MNLF can be described in three stages. The first stage is from 1969-1972: Organizing and Recruiting for the MNLF.

¹ Among the earlier works on the MNLF were those done by Lela Garner Noble. See her article, "The MNLF in the Philippines," *Pacific Affairs* XLIX (Fall, 1976):405-24, also, "Chronology of Muslim Rebellion in the Philippines," *Dansalan Research Center Bulletin* (September-October, 1978). More recent works on the MNLF are Cesar Majul's *Contemporary Muslim Movement in the Philippines* (Berkeley, Mizan Press, 1985) and W.K. Che Man's *Muslim Separatism The Moros of Southern Philippines and the Malay of Southern Thailand* (Quezon City: Ateneo University Press, 1990).

² The term means "Moro nation." The word "moro" was used by the Spaniards when referring to the Muslims in the Philippines in the sixteenth century.

The year 1972 began a new era for the MNLF as President Ferdinand Marcos declared martial law, citing among other reasons the growing activism of some "16,000 secessionists" in Mindanao who had planned to take over all of the islands of Mindanao and Sulu.³ The second stage is 1972-1986: Fighting the War. This period can also be called the martial law years. The early to mid-1970s was the time of intense military conflict between the MNLF Bangsa Moro Army and the government forces. The third stage is 1986 to the present: Organizing for Themselves and the Emergence of a New Agenda. In 1986, Marcos was no longer president; negotiations between the government and the MNLF were resumed, and the MNLF women inaugurated their own organization.

In the absence of works on the subject, our major sources of information for this research are the men and women of the MNLF. In fieldwork conducted in July, 1994, 25 women who are involved with the MNLF in varying capacities were interviewed in three places in the island of Mindanao, in southern Philippines: Cotabato City, Sebangon which is a "liberated" village⁴ in Matalam, North Cotabato province and Dinaig in Maguindanao province. Questionnaires were also sent to other respondents in Zamboanga City, Philippines, and in Islamabad, Pakistan where the MNLF has an office. After the questionnaires were returned, the respondents were further interviewed by telephone. Three of the women interviewed in Mindanao who claimed that they are sympathizers of the MNLF chose not to answer some of the more specific questions on the movement, leaving us with 22 women respondents. Five male MNLF members were also interviewed in Matalam, North Cotabato. Contact with the women was first established through the MNLF office in Islamabad and then through an MNLF member in Manila. The Chairman of the MNLF Central Committee, Nur Misuari, was interviewed several times by overseas telephone while he was in the MNLF headquarters in Islamabad, Pakistan and subsequently, in person, during his visit to New York City in October, 1995.

³ Ferdinand E. Marcos, *The Democratic Revolution in the Philippines* (New Jersey: Prentice Hall International, 1979), p. 185

⁴ The MNLF defines this area as "liberated" because it is controlled by them. The military can only come to the place if prior arrangements have been made, in accordance with the cease-fire agreements. According to the respondents, basically everyone in the village is a member of the MNLF or a sympathizer.

The Moro National Liberation Front

The Moro National Liberation Front is the largest⁵ and most organized Muslim⁶ movement⁷ in the Philippines. It was formed in 1969 as a response to the cumulative results of policies and actions successively taken by the Spanish, American and independent Philippine governments towards Philippine Muslims⁸ in the preceding four hundred years. The MNLF describes itself as a popular revolutionary movement⁹ whose initial goal was to establish an independent nation out of Mindanao and other southern islands in the Philippines. This nation was to be called the Bangsa Moro Republik.

The MNLF has been engaged in an intermittent armed conflict with the Philippine military forces for the last 26 years. The conflict reached the level of warfare in the early 1970s and has exacted a heavy toll on both the government and the MNLF.

In 1976, negotiations conducted in Libya between representatives of the Philippine government and the MNLF resulted in the Tripoli Agreement which called for autonomy in thirteen predominantly Muslim provinces¹⁰ within the context of Philippine sovereignty.

The MNLF gained international stature when the Organization of Islamic Conference (OIC) recognized it as the legitimate representative of Philippine Muslims and granted it observer status in 1977. However, Presi-

⁵ Current figures are not available but estimates of MNLF members ranged from 15,000 to 30,000. Al Haj Murad, "A Report Submitted by Al Haj Murad, General Staff of the Bangsa Moro Army to Dr. Habib Chatti, Secretary General of the Organization of Islamic Conference," Jeddah, 1982, cited in Che Man, *Muslim Separatism: The Moros of Southern Philippines and the Malays of Southern Thailand* (Quezon City: Ateneo de Manila University Press, 1990), p. 82.

⁶ Muslims constitute the largest minority group in the Philippines that is bound by a single religion. Recent estimates place their number at between five and six million or 8.5 per cent of the country's total population of 66 million. See *The Oxford Encyclopedia of the Modern Islamic World*, 1995, "Philippines," by Cesar A. Majul. About 60% of the estimated figure are women.

⁷ The first Muslim group which asked for secession was the Muslim Independence Movement (MIM). The other groups like the Moro Islamic Liberation Front (MILF), Moro National Liberation Front Reform Group (MNLF-RG) and Bangsa Moro Liberation Organization (BMLO) are splinter groups of the MNLF. The Abu Sayyaf, which came out in the open in 1993, opts for complete independence of the Muslim areas but is more well-known for acts of kidnapping and terrorism.

⁸ See Moro National Liberation Front, Central Committee, Office of the Chairman, "Rise and Fall of Moro Statehood," Typescript, 1974; Cesar A. Majul, *Muslims in the Philippines* (Quezon City: University of the Philippines for the Asian Center, 1974); Peter Gowing, *Mandate in Moroland, 1899-1903* (Quezon City: Philippine Center for Advance Studies, 1977), and Vivienne SM Angeles, "Islam and Politics: Philippine Government Policies and Muslim Responses, 1946-1976," (Ph D. dissertation, Temple University, 1987).

⁹ Nur Misuari, Chairman of the MNLF to Vivienne SM. Angeles, 15 October 1983, p. 5

¹⁰ The 13 provinces are Sulu, Tawi-Tawi, Basilan, Zamboanga del Norte, Zamboanga del Sur, Lanao del Norte, Lanao del Sur, North Cotabato, South Cotabato, Maguindanao, Sultan Kudarat, Davao del Sur and Palawan.

dent Marcos did not enforce the terms of the Tripoli Agreement. The MNLF continued to press for its implementation. Currently, the government and representatives of the MNLF are again discussing the terms of this agreement.

Stages of Women's Involvement in the MNLF

1969 to Martial Law: Organizing and Recruiting for the MNLF

One of the incidents that propelled Muslims to organize and actively demand independence from the Philippine government was the "Jabidah massacre" in 1968.¹¹ "Jabidah" was supposedly the name of the military unit undergoing training in the island of Corregidor. The trainees, who were all Muslims, had threatened to stage a mutiny because they had not been paid their salaries. This led to a confrontation with the training officer and according to a lone survivor who later testified in a congressional hearing, the Muslim trainees were all brought to an airstrip and shot.¹²

The Muslims organized a big demonstration protesting the government's handling of the "Jabidah" situation. Muslim women students in the universities in the MetroManila area joined the demonstrations as individuals motivated primarily by their sense of justice and sympathy for fellow Muslims.¹³

Around 1969 and in the early 1970s, groups of Muslim youth went to Sabah in western Malaysia for training in guerilla warfare. Among them was Nur Misuari, the Chairman of the Central Committee of the MNLF. Also included in these groups were several relatives of the respondents interviewed for this paper. Most of the women interviewed were not aware of what was going on. Some however, claimed knowledge that the first group of trainees in Sabah included some male members of their immediate families.¹⁴

In 1970, several Muslim students left the universities in Manila where they were studying and began to actively organize themselves in Mindanao. Most of the organizers were men but some women were also involved.¹⁵

¹¹ See *The Manila Times*, March 21, 22, 23, 30, 1968 for full story of the massacre.

¹² The ostensible purpose of this military unit was to attack Sabah and take it from Malaysia. According to historical records, Sabah was once part of the Sultanate of Sulu before the sultan ceded it to the British Company in 1878. In 1962, the Philippine government pressed its claim to Sabah, contending that the Sultan of Sulu only leased the territory to the British Company but did not relinquish his sovereign rights.

¹³ This was expressed by one of the respondents who participated in the demonstration. At that time, she was a registered member, although inactive, of the Muslim Students' Association at the University of the Philippines where she was a student.

¹⁴ This first group to Sabah is known as the Top 90.

¹⁵ One of the respondents was among them

In Jolo, they formed discussion groups which attracted students, teachers, and professionals.¹⁶ These were the initial targets of the movement. They were to form the "workforce of the MNLF"¹⁷ that would spread the ideas of the movement to the masses. One of the women respondents set up a bookshop in Jolo and started a discussion group primarily geared towards generating interest in contemporary socio-political problems. This somehow served as a forum for discussing the Muslim situation.

Other women learned of the MNLF through a variety of ways. Fifty per cent of the respondents were exposed to the movement through immediate family members and relatives who were already in the MNLF.¹⁸ A few came to the MNLF by way of the Federation of Muslim Students, organized by an MNLF member at Notre Dame University in Cotabato City. In between their academic work, they recruited and organized members in the university. Others learned of the movement when members started organizing in their respective communities. The MNLF specifically recruited two of the women respondents for medical training.

Learning about the existence of the MNLF was one thing, but joining it was another. In addition to various incidents like the killing of Muslim civilians that the women have witnessed, conversations at home with families and relatives helped the women respondents realize the extent of oppression of Muslims and convinced them that the MNLF was for the people. When asked for reasons why they joined the movement, the majority (68%) of the women respondents cited problems that are all related to the issue of government and military oppression. They indicated their sympathy for the people and the desire to gain justice for themselves and family members.¹⁹

In defining the problems in the Muslim areas, the women's responses point to three major causes of conflict between the Muslims and the government: land-grabbing, military abuses and government oppression and neglect. These cases are explained in detail below.

¹⁶ Discussion with an MNLF woman member in Norristown, Pennsylvania on April 17, 1983

¹⁷ Nur Misuari, Chairman of the MNLF, to Angeles, 15 October 1983.

¹⁸ A respondent said: "My father was the first to join the Muslim Independence Movement (MIM) with Datu Udtog Matalam and then the MNLF. He was an officer in the military but he was for the MNLF. My first cousin is a commander and my brother was the Chairman of the Agusan Commission. He was congratulated twice by Col. Khaddafy in Libya." Another respondent said: "All our family members belong to the MNLF. My father was a commander and my oldest brother is in Libya, in the MNLF office." The oldest respondent asserted: "All of us belong to the MNLF."

¹⁹ Eight respondents indicated that family members and relatives were victims of government and military abuses. One respondent said: "My relatives were victims of the soldiers. My grandparents were victims of the *Ilagas* (the armed Christian group). They were decapitated and my relative was raped." Another said: "My relatives were oppressed. I wanted to assert our rights." Resentment and enthusiasm are probably much more frequent types of motivations among participants in the Philippine Muslim movement in general.

The women specified two types of land-grabbing: government-sponsored land-grabbing and individual land-grabbing by non-Muslims. The first can be traced to the agricultural colonization program²⁰ of the American government in the Philippines in the early 1900s as part of their effort to hasten Muslim-Christian integration in Mindanao. This policy of giving lands to non-Muslims was repeated in the 1950s, when the independent Philippine government tried to break up the HUK²¹ insurgency in Central Luzon. In both programs, settlers were given titles to areas already occupied by Muslims as their ancestral lands.²² The second type of land-grabbing has to do with individual families who lost their lands due to one of the following reasons: unscrupulous private mortgage arrangements;²³ somebody had the land surveyed, then they applied for and received a title without the knowledge of the original owner of the land;²⁴ or, some individuals with money and weapons took over the land when the Muslim owners evacuated to other places at the height of the war in the 1970s. Since the people who did these originally came from the Visayas and Luzon islands and were Christians, the land problems became linked with the religious identities of the people involved. This development aggravated the already existing Muslim-Christian conflict which was ignited by the Spanish administration in the Philippines in the 16th century.

²⁰ In 1913, the Philippine legislature under the Americans appropriated the amount of 400,000 pesos for the establishment of agricultural colonies. In 1914, it passed Act 2280 which established the Momungan Agricultural Colony in Lanao and appropriated 50,000 pesos for the "Moro Colonization and Plantation Fund." See S.K. Tan, *The Filipino Muslim Armed Struggle* (Maleati Filipinas Foundation, 1977), p. 74.

²¹ The HUK originated from peasant movements in the central Luzon provinces before the second World War. Its original concern was to seek solutions to agrarian problems but it later developed into a military-ideological movement with the inclusion of Socialist and Communist groups in the country. For full discussion of the HUK movement, see Bernard Kirkvliet, *The HUK Rebellion: A Study of Peasant Revolt in the Philippines* (Berkeley: University of California Press, 1977).

²² On March 11, 1974, the martial law government promulgated Presidential Decree No. 410 declaring ancestral lands occupied and cultivated by the national cultural minorities as alienable and disposable.

²³ One respondent noted that because they badly needed cash, they mortgaged their land to a man who happened to be Christian. When they came back with the money to redeem the land at the expiration of the agreement, the man refused to return the land to them and asked for more money, which they could not raise. They were never able to reclaim their land. Her story was corroborated by other women who knew of similar circumstances. This situation, however, is not limited to the Muslim areas. This has happened in other rural areas of the country where individuals would rather take their loss than go to court which would mean legal expenses that are beyond their means.

²⁴ The Muslims, like other cultural minorities in the Philippines, did not have titles to their lands. They defined the boundaries, worked on it or took possession of the area and passed it on to their succeeding generations. This was practised long before the coming of the Spaniards and, later on, the Americans who introduced the idea of Torrens titles to lands.

Interestingly, two respondents emphasized that the problem of the Muslims is "jahiliyya,"²⁵ which could only be eliminated by a return to the Qurʾān and the sunnah.

Military abuses came in the form of acts committed against men and women,²⁶ massacres of Muslims,²⁷ and confiscation of their properties. The women still use the terms "government" and "military" interchangeably when referring to abuses because they see the soldiers as government agents.

Government oppression is explained as the government's tendency to side with Christians and those who have money. Government neglect, on the other hand, has to do with its failure to provide more schools, health facilities and other economic support programs for Muslims. Because of their geographic isolation, Muslims did not benefit from the infrastructure programs established mainly in the provinces close to Manila right after World War II. It was only during the early years of martial law, in the 1970s, that the government established agencies to implement economic and social development programs in Mindanao.²⁸

Muslims responded to the MNLF call for armed struggle against the government because in addition to the Jabidah incident, fellow Muslims have been victims of other massacres. Several of the massacres between 1970 and 1972 were committed by Christian armed bands. These groups were believed to be supported by Christian politicians²⁹ and protected by members of the Philippine military. One of the women respondents, a Red Cross volunteer who helped take care of victims of the Manili³⁰ massacre in 1971, indicated that the sight of bodies of innocent Muslim civilians made her realize the "extent of atrocities committed against Muslims" and prompted her to join the MNLF that year.

In 1972, the MNLF leadership decided to formally organize the Women's Committee. Its main purpose was to support the MNLF and help the movement in whatever capacity they could. Its specific functions and duties, however, were not clearly defined at that time. The core group consisted of women who already sympathized with the MNLF in the different prov-

²⁵ The state of ignorance, used in reference to pre-Islamic times in Arabia

²⁶ See Moro National Liberation Front, *Pata Island Report* (Mahardika Press, July, 1983); also, Abdurasad Asani, *Genocide in Bangsa Moro Homeland* (Mahardika Press, 1983)

²⁷ Although there were massacres committed both by private armed bands and members of the military, the respondents prefer not to see the distinctions because they believe that the private armed groups were protected by the military.

²⁸ Presidential Decree No. 690 created the Southern Philippine Development Administration and Presidential Decree No. 264 created the Amanah Bank, among others.

²⁹ See Cesar Majul, *Contemporary Muslim Movement in the Philippines* (Berkeley: Mizan Press, 1985).

³⁰ Manili is a village in North Cotabato which was under military control. On June 19, 1971, an armed group gathered residents of the village in a mosque, threw a grenade and fired at men, women and children.

inces in Mindanao. They met in Zamboanga City in May, 1972, and returned to their respective provinces to recruit additional members and to engage in propaganda activities for the MNLF. As a respondent who organized the women's committee puts it, "women should be involved in the struggle so we can be sure that women's needs would be taken care of, if and when the Bangsa Moro government is established."

During these first few years, women's activities concentrated mainly in the areas of recruitment and consciousness-raising among the Muslims. A respondent, who was among the early recruiters, admits that it was a little difficult organizing in the rural areas since women there tend to be less educated and have very traditional perceptions of male-female roles. Generally, women were not expected to be revolutionaries. To some mothers, the thought of their daughters staying in camps with unknown men was unthinkable. While this was a normal reaction of women in the villages, it did not appear to be the case with the respondents. The majority (77%) of the women respondents indicated that their parents either supported their decisions, encouraged them, or did not register any objection. Others did not answer this question. The positive response of their families can be due mainly to the fact that they already had family members in the movement, were aware of the situation, and were willing to take risks. Some had been victims of injustices themselves. With the increasing awareness of military abuses, particularly against women, a respondent noted that her mother felt that she would be safer with the MNLF.

A look at the background of the women interviewed yields a picture of a diverse group of women who became involved with the MNLF. They come from different socio-economic and educational backgrounds. Some of them descended from the old aristocracy. Some are from political families while others are from the rural masses. Thirty one per cent have college degrees, including one who went to graduate school. Twenty seven per cent have some college education but did not finish their degrees, and an equal number finished elementary school (including one woman who finished in a *madrasah*)³¹. The rest are high school graduates, except for one woman who did not have any formal education. Their ages range from 20 to 62, with the oldest referred to as the "grand old lady of the MNLF." Almost all respondents became involved with the MNLF between 1969 and 1974, except for two who formally joined in 1983 and 1986. Except for one, who is a *barangay*³² council member, they are not involved in local Philippine politics.

³¹ The term "*madrasa*" is used to refer to Islamic schools. These schools were not recognized by the government until after the mid-1970s.

³² *barrio* (village).

The majority (67%) of the women work outside the home and they are almost equally divided between government employees and those who work in private companies. Others are self-employed, engaging in some income-generating activities at home, or helping in the farm. Twenty two per cent do not work outside the home and the rest are students of Notre Dame University in Cotabato City. Most consider themselves full-time MNLF members, in the sense that even if they are employed, they still perform duties assigned to them by the MNLF, and are all willing to take off from work if required.

Women involved with the MNLF during this period of time were considered sympathizers and not formal members. Their main concern was to recruit members and mobilize the masses to support the MNLF.

1972-1986: Fighting the War

While Marcos' declaration of martial law on September 21, 1972 brought the Muslim armed resistance movement into the open, such was not the case with women's involvement. There were, however, women arrested, questioned and detained by the military on charges of cooperating with the MNLF or with groups sympathetic to the MNLF. Others took to the hills while those who stayed at home or continued with their jobs or studies were careful not to reveal their affiliation with the movement.

Women's involvement was particularly valuable at the height of the armed confrontations in the 1970s. Functioning as couriers, they brought supplies given by supporters to MNLF camps and served as communication links between MNLF members in the hills, camps, villages and urban areas. A woman respondent was placed under house arrest³³ on suspicion of helping the MNLF but was nevertheless able to move between her home and the hills, transporting medicines and supplies to the MNLF forces. She wore non-ethnic clothes and used her fluency in the national language (in an area where the dominant language is Maguindanaoan) to her advantage. Another respondent found wearing the traditional skirt (*malong*, a tubular skirt with big folds tucked to the waist) convenient for hiding small arms and bullets past military checkpoints. Following requirements of tradition and propriety, women were not subjected to searches which proved to be beneficial to the MNLF.

It was not the intention of the MNLF to put women in the frontlines,³⁴ but women pledged a willingness to do so if necessary. Farouza was one of these women. She was killed when government forces attacked Jolo in 1974. Another incident in Basilan involved the wife of an MNLF com-

³³ This was a concession her father (a military officer) got from the military officials assigned to the area.

³⁴ Interview with Kumander Aladin, 15 July 1994

mander who took over her husband's place and led 150 fighting men when her husband was killed in battle.³⁵ These are heroic incidents which members of the MNLF view as testaments to the commitment of women.

With armed conflict escalating in the 1970s, the MNLF leadership felt that women should be able to defend themselves when necessary. Many women either stayed at home or in the camps while men fought in the battlefields. Whenever the military raided the villages, there were always incidents where women were abused. As a result, the Women's Auxiliary Forces was organized and, in 1972, military training for women started in Jolo. Cotabato had its first women trainees in 1974. Women were also trained to produce homemade bombs and bullets for delivery to men in the field. Considering the delicate nature and danger of these assignments, women given such missions were carefully screened by the Commanders.

Women's participation in actual fighting was limited, but Chairman Misuari asserted that if necessary, he knew that MNLF women would do well in armed conflict.³⁶ Their main task in the battlefield, however, is to provide moral support to the men and to take care of wounded fighters.³⁷ They also take care of health and sanitation in the camps and help support the widows and orphans of the MNLF fighters.

During this stage of women's involvement, children could not go to school regularly because either the schools were closed due to on-going fighting, or because the families were constantly moving to safer places. The MNLF women organized makeshift schools wherever there were groups of families and taught young children the basics of reading and writing.

Women also played a role in the MNLF negotiations with the government during this period, although they focused mainly on providing clerical support, doing research and disseminating propaganda materials. This was the case in the negotiations that resulted in the Tripoli Agreement in 1976, and also in their participation in the People's Tribunal held in Belgium in 1980 when the MNLF presented its case against the Marcos government. The respondent in Islamabad was particularly involved with this because she was based at the MNLF headquarters in Libya at the time.

Towards the end of this stage, there were women who decided to come down from the hills. They went back to their homes and took jobs, mainly

³⁵ *Ibid.*

³⁶ Telephone interview with Chairman Nur Misuari, 26 February 1995. Kumander Aladin shared this opinion in the interview on 15 July 1994 in North Cotabato

³⁷ This is comparable to the participation of Palestinian women in the PLO before 1970. See Yvonne Haddad, "Palestinian Women," in Khalil Nakleh and Elia Zureik, eds. *The Sociology of the Palestinians* (New York: St. Martin's Press, 1980), p. 162

in government offices. When asked what motivated her to leave the hills, one woman replied that it was perhaps for economic reasons. Besides, she claimed that if all of them were in the hills, how could they survive? They needed access to the government and leaders in the area. Referred to as "urban operatives," they performed multiple functions, one of the most important being intelligence. They were also the ones responsible for bringing the wounded fighters to town for medical attention in the local hospitals, and making arrangements for doctors and nurses to go to the hills if needed. At the same time, they functioned as mothers, wives, family members and workers.

Unless a woman and her children join her husband in the camps, the wives usually perform tasks that do not require them to leave home like sewing uniforms and insignia,³⁸ and cooking food to be sent to the MNLF forces. Since the women who do not work outside the home are also involved in farming, they engage in handicrafts such as mat and malong weaving between planting and harvest time. Their finished products are either sent to the men or are sold to others to generate funds for the MNLF.

It was during this stage that women became officially included in the organizational structure of the MNLF. The MNLF organization follows a committee system that operates on the national, provincial and municipal levels. The Central Committee is headed by a Chairman, Nur Misuari. Directly under it are committees with specific functions like finance and economic affairs, information, health and sanitation, education, propaganda, transportation and communication, intelligence, foreign affairs, social welfare and women. The chairpersons of these committees at the national level are members of the Central Committee. Women have been particularly active in economic affairs, finance, health, sanitation and social welfare committees. However, only the Women's Committees are headed by women. The chairperson of the Women's Committee at the national level is a voting member and is the only woman in the Central Committee. Like other chairpersons of the various committees, she is appointed by the Chairman of the Central Committee after consultations with other members. Educational attainment is not a requirement for chairmanship of women's committees. One of the chairs of a provincial women's committee had no formal education but is well versed in the issues and very articulate, while the first chairperson of the women's committee at the national level has a B.A. in Political Science and had some graduate school education. There is a liaison officer, charged with coordinating activities and facilitating communications among the women's committees at all levels.

³⁸ "Role of Women in the Bangsa Moro Revolution," *Mahardika*, IX (1982), p. 1

At the Bangsa Moro Women's National Congress held in Jolo on March 19-20, 1994, Chairman Misuari announced that the Social Welfare, Health and Sanitation Committees would be assigned to the women. Previously, it was only at the provincial level that women headed these committees.

Although women's involvement in the MNLF had been formalized at this stage with the creation of the women's committee, the women still did not have a definite agenda for themselves and their welfare as women. Winning the war remained a primary concern for all as women risked their lives to help and support men in the battlefield.

1986 to the Present: Organizing for Themselves and the Emergence of a New Agenda

When Corazon Aquino assumed the presidency of the Philippines in 1986, she declared that it was her intention to establish peace in Mindanao. Shortly before the 1986 peace talks between the MNLF and representatives of the government, the women's committee started to press for inclusion in the negotiations and passed a resolution to that effect. So far, their involvement has been in the secretariat where there are four women members. They provide support activities for the negotiations, like information gathering and processing.

Peace talks were held in September, 1986 between government representatives and the MNLF. When a breakdown in the negotiations became imminent, Desdemona Tan, Misuari's spouse, helped convince her husband to return to the negotiating table.³⁹ This resulted in the signing of a cease-fire agreement. Desdemona Tan's involvement here, however, was not in an official capacity. She did not have an official position in the MNLF, but as wife of the Chairman the Philippine officials requested her help so that the negotiations could continue. The cease-fire agreement eventually fell apart because the MNLF felt once more that the government betrayed them. There were MNLF demands that the government would not agree to,⁴⁰ and their hopes for the implementation of the Tripoli Agreement were dashed again. The MNLF then reiterated their demand for independence.

There were some sporadic armed confrontations between the government forces and the MNLF at this stage and women resumed their duties as called for by the situation. At present, they continue to perform other functions like collecting regular contributions which they call "sadāqa"

³⁹ Desdemona Tan passed away in 1987. See Nelly Sindayen, "Big Loss to Muslim Cause," *Manila Bulletin* (July 1987), (photocopied article). See also, Madeline Kho-Bello, "Remembering the Mother of the Bangsa Moro Jihad," *Mahardika* XIV, 2 (June-October, 1993), p. 10.

⁴⁰ This had to do with the number of provinces and the composition of the new armed forces, among others.

from MNLF members and sympathizers. They are active in the finance committee and take care of the money-lending⁴¹ operation of the movement which was designed to raise funds for maintenance of the forces and for various projects. They have meetings with the men where they discuss the current situation of the MNLF *vis-à-vis* the government. In these meetings, and also whenever they go to camps, women are required to wear headcover. The traditional headcover is actually like a turban, which is part of ethnic wear and is usually worn by the older women. Most women have scarves loosely covering their heads, and a few wear the arm-length veil more commonly seen in Malaysia.

The peace talks between the MNLF and the government were resumed after Fidel Ramos was elected President in 1992. There is a cease-fire in place in the Muslim areas at present, as well as an ongoing series of meetings and consultations between the government and MNLF representatives. The latest of these meetings was held in Indonesia in late November, 1995. During the interview, the women were very optimistic and felt that between Aquino and Ramos, the latter is more trustworthy and would probably do more for the benefit of the Muslims than the former, the Philippines' only woman president.

In spite of the numerous tasks performed by the MNLF women, they were not directly involved in the peace negotiations. No woman sat at the negotiating table and their work was confined mainly to research, processing information and making arrangements for these meetings.

A turning point in the women's involvement in the MNLF at this stage was the organization of the Bangsa Moro Professional and Employees' Association in 1986. The MNLF leadership recognized the need to tap the Muslim women professionals. They would perform two major functions: further articulate the issues affecting the Muslims, and help in providing financial support to the movement. The president of the association claims that there are about 350-400 members, most of whom come from the urban areas and work in government offices. Not all members are active, but they generally pay their dues. It is essentially an MNLF organization for women but is officially incorporated and registered with the Securities and Exchange Commission of the Philippine government.

The Bangsa Moro Women's Professional and Employees' Association coordinates its activities with the MNLF Women's Committee. They are still in the process of institution-building but they have already indicated the direction of the movement. The members continue to engage in consciousness-raising about the situation of the Muslims, but its president

⁴¹ The members of the finance committee take care of this. They lend money at 10% interest. When asked why they were charging interest, a respondent noted that this was a way of raising money for the MNLF and therefore acceptable.

claims that they are also interested in other issues like empowerment of women, and increasing their participation in politics, society and the economy. In other words, we see now the emergence of a new agenda that is concerned with women's participation in the larger society—in issues of empowerment. One of their goals is to put up a women's center that will help women, especially the widows of the MNLF fighters. There are plans for the establishment of traditional industries like mat and malong weaving, as well as an orphanage. The president of the association, however, emphasized that they want a women's center that will be free from the interference of Muslim women politicians.⁴² Her statements indicate a desire to get away from the control that politicians tend to impose on development projects in the Muslim areas.

With a cease-fire in effect, women's activities at the moment are primarily directed to an information campaign about the ongoing peace process. As the president of the association notes, without war they are able to plan for other things, but they also have to be prepared in case the peace negotiations fail. The subjects of their meetings are no longer limited to "wartime planning and activities," but have started to include such topics as rights of women. In September, 1994, members participated in a seminar on the *shari'a* where a local imam, Ustadz Abirin, gave a lecture on "Women's Rights in the Qur'an." The MNLF Chairman himself has begun to encourage the MNLF women to read the Qur'an and learn about their rights and responsibilities as provided for in Islam. According to a respondent, the Chairman believes that women should not just concentrate on the political aspects of the movement but should start paying attention to religious matters. This verbal directive of the MNLF Chairman could very well usher in another stage in the continuing evolution of the MNLF. For one thing, the MNLF has always been criticized as very secular, and second, most of the women interviewed did not appear to be very knowledgeable about the subject and have relied on imams for interpretation of the Qur'an.

When asked what they see in their future (should the Bangsa Moro government be established), practically all believe that women will be actively involved, and those who are qualified will have positions in the government. There is a sense of optimism with 27% of the women indicating that the problems of Muslims and the ongoing conflict with the government can be solved through the full implementation of the Tripoli Agreements. The women's familiarity with this agreement is a result of their periodic meetings where members are updated on the progress of

⁴² In 1994, when the research was undertaken, there was a Muslim woman senator and a congresswoman. There are several Muslim women holding positions in provincial and local governments, most of whom come from traditional political families.

negotiations with the government. The same number of women called for more government-Muslim cooperation while others spoke of Muslim-Christian unity and education. Some women asserted that Muslims should be given their rights. When they were asked further about which rights, there was some ambiguity in their responses. They pointed to land rights, but informal conversations with women outside of the interviews gave the author the impression that they basically mean the right to rule themselves and chart their own destiny. A small number of respondents feel that the situation can only be solved through the victory of the MNLF. This means the establishment of the Bangsa Moro Republik. The women who previously spoke of the need to return to the Qurʾān and the sunnah as a means of solving their problems belong to the younger group of Muslims who are sympathizers of both the MNLF and the MILF but are more involved with the Bangsa Moro Student League.

Summary and Conclusion

As the paper indicates, women's participation in the MNLF evolved through three stages from the movement's beginnings in 1969 to the present.

In the first stage, they were primarily involved in recruiting and organizing MNLF members and supporters. We may never be able to get the exact number of women members of the MNLF because for a very long time there was no formal system of registration (in terms of membership forms and rosters). Without a formal membership system, there is no resignation of membership. One just moves from the status of active to inactive member. In addition to this, it is difficult to distinguish between a sympathizer and a member. They both make financial contributions to the movement and perform various tasks assigned by the leaders of the MNLF as necessity arises.

There was no specific women's agenda in the first stage. For the women concerned, the struggle needed to be won first and then they would think about their own roles and rights in society later. Perhaps another reason for this is that, between 1969 and 1972, women's rights was not really an issue in the Philippines, much less in the Muslim areas.

In the second stage, which occurred at the height of the military operations of the MNLF, the women dedicated themselves mainly to support roles for the fighting men. The MNLF leadership and the war situation actually defined the roles of women. Although such roles were limited to helping the men win the war, the loyalty of the women appears unquestionable. Kumander Aladin takes pride in the fact that no MNLF woman has ever surrendered to the government.⁴³ The women were preoccu-

⁴³ In the 26 years of existence of the MNLF, hundreds of members have surrendered to the government, including some in leadership positions. In exchange for their surrender, they were given monetary rewards or appointed to government positions.

pied with various tasks like keeping the supply line, transmitting vital information and caring for the wounded fighters. Concern for their own welfare was consciously or unconsciously subjugated to their greater concern for the survival of the MNLF and the establishment of the Bangsa Moro Republik.

In the third stage, the women started to formulate a clearer agenda geared to their own development as women. They have not abandoned their earlier roles, but rather, they have expanded their activities and their goals. This stage is characterized by some involvement in the decision-making process in the MNLF, as well as increased political awareness, more diverse roles in the movement, and greater visibility. They feel that seminars and meetings wherein they discussed the situation of Muslims, and planned activities and projects, have helped raise their political awareness. Those who occupy positions in the committees believe that the MNLF tapped their leadership abilities and helped them realize their potentials. In this sense, the MNLF has functioned as an agent of change for the women. They are now talking about women's empowerment and more participation for women in political and economic activities, and they have also become aware of developments taking place outside of the Philippines in relation to women.

Although women are now fully acknowledged members of the front, their role in the decision-making process is still limited, with only one vote in the Central Committee. In addition, one gets the impression that a woman is in the Central Committee not so much in terms of her own qualifications and what she can do as an individual⁴⁴ but because she represents women. All other committees on the national level are headed by men.

The MNLF continues to be a male-dominated movement, but the women do not see this in a negative way. The men appear to be protective of women and the women seem to accept this. Initially, role differentiation appeared to be gender-based, but both MNLF men and women now assert that they are ready to do whatever is required of them, regardless of gender.

Their answers and comments demonstrate a confidence in the capability of women to share in the work of governing their nation.⁴⁵ The same women who spoke of the need to return to the Qur'³ān and sunnah, however, see future women's roles in terms of moulding the minds of children and youth on how to live the Islamic way of life. These com-

⁴⁴ Except for one who has no formal schooling, the chairpersons of the women's committee on all levels are educated. All, however, are well-informed and very articulate women.

⁴⁵ Some samples of the responses are: "If the provisional government includes women, how much more the autonomous government?" "If there are no women, nothing will happen." "Women will be partners in building the Bangsa Moro Republik." "Women can be in management positions. . . if women are involved, maybe corruption will be less."

ments are worth exploring further because while the majority anticipate an activist role for women in the Bangsa Moro government and society at large, there are some MNLF women whose perception of their roles remain centered in the home. Just as interesting are the comments of the Chairman of the Moro National Liberation Front in his recent visit to New York. While he emphasized the important roles played by women in the last 26 years of the MNLF, and concedes that qualified women will definitely have a place in the Bangsa Moro government if and when it is established, he also pointed out the complementary roles of men and women in Islam, with women usually controlling matters relevant to the home, and men dealing with matters outside the home.⁴⁶ Considering the very influential position of the Chairman, this raises questions about the future direction of the activities of the MNLF women. Among these questions are: If the Professional and Employees Association are concerned with empowerment of women, what specific courses of action would they take? Since they have now started to pay attention to Qur'anic provisions on women, how would they interpret such provisions? Or, would they be affected by the non-Muslim women's movements? Would they continue to see their roles as complementing those of the men, or would they start to demand more participation in the decision-making process in the MNLF? While gender was not an issue during the last 26 years when they were preoccupied with the war and their preservation as a Muslim community, it remains to be seen whether things will continue this way.

We are now faced with three possibilities in so far as the future direction of the MNLF women are concerned. First, they may evolve a feminist agenda which will be in keeping with contemporary women's movements which are not necessarily Muslim; second, they may define their roles on the basis of Islamic teachings, or third, they may seek a reconciliation of the two.

The women of the MNLF represent a broad-based Muslim women's movement in the Philippines whose agenda was initially dictated by the exigencies of the time and the goals of the MNLF. It is not the only Muslim women's movement in the country, but it is the only one whose primary concern was national liberation of Muslims. It differs from the other groups like the Philippine Muslim Women's Association (PHILMUSLIMA) and the Muslim Professional and Businesswomen's Association of the Philippines (MPBWAP) which are encouraged and supported by the government. They are included in the National Council of Women of the Philippines, an umbrella organization geared towards increasing women's participation in politics, society and the economy. The leadership of the PHILMUSLIMA and

⁴⁶ Interview with MNLF Chairman Nur Misuari, New York City, 29 October 1995.

the MPBWAP come from politically prominent Muslim families and are nationally visible. The MNLF women, on the other hand, do not enjoy such visibility but given their mass base and their affiliation with the MNLF, which is a high profile group with international linkages, their impact on Muslim women may be greater than we can expect.

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SIMIN BEHBAHANI: A FEW POEMS

Simin Behbahani is a major figure in Persian literature. She was born in Teheran in 1927, grew up there, and was married before finishing high school. The marriage was not a successful one. After twenty years and three children, it ended in divorce. Years later Behbahani married Manuchehr Kushiar.

Against difficult odds of neglect, slight, economic hardship, divided loyalties, Behbahani has earned her prominence by the strength of her personality, her perseverance, and her talent. In a productive career spanning four decades, she has produced nine poetry collections, a number of short stories, and an autobiography titled *That Man, My Companion of the Road*. Her first book *Setar-e Shekasteh* [Broken setar] was published in 1951. Between 1956 and 1995, eight other books of poems were published. *Jay-e Pa* [Footprint: 1956], *Chehel Cheragh* [The lamp of forty lights: 1957], *Marmar* [Marble: 1963], *Rastakhiz* [Resurrection: 1973], *Khati ze Sor'at o az Atash* [A trajectory of speed and fire: 1981], *Dasht-e Arzhan* [The plain of Arzhan], *Kaghazin Jameh* [Paper-thin vestment: 1989], *Yek Daricheh-ve Azadi* [A window to freedom: 1995] form a prodigious body of work, especially in view of the fact that Behbahani was a full-time high school teacher for twenty-nine years, a housewife, and a dedicated mother of three children.

One of the sources of power in Behbahani's poems is the tension between the familiar form of the traditional *Ghazal* and its defamiliarization by the poet. Behbahani searches deep into her culture and finds familiar forms, motifs, and themes to revitalize and be revitalized in her poetry. Her creative use of *Ghazal*, a lyric ode that consists of seven to twelve monorhyming couplets, is not only a transformation of a conventional and mainly masculine poetic form but also an indication of her attempt to reconcile tradition and modernity. In an age characterized by violent breaks with the past, Behbahani has consistently challenged reactionary views of tradition. Working with inherited verse forms, she has become an innovative technical master with a complex and distinct voice. Her neotraditionalism does stand out against the dominant spirit of her time.

Many of Behbahani's poems epitomize a reversal of gender-bound representation and the subversion of power and propriety. They demand a new literary space for women. They advocate an autonomous, unconventional female identity. They question the old order of things. Behbahani also uses the *Ghazal* form for social commentary. Like her great grand-

mother Shagerzad, she tells her stories to entertain, to instruct, to incite, and above all to promote radical changes. In the arena of contemporary Persian literature, Simin Behbahani remains a voice of reason, moderation, and courage.

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SIMIN BEHBAHANI TRANSLATIONS

DRY, LIFELESS, DRY*(Khyati ze Sor'at va az Atash, [1980] 1981)*

Dry, dry, lifeless, dry.
 Austere—dry. Womb—dry.
 Barren, dry.
 Not a trunk boasting.
 Not a branch dancing.
 Not even a thorn growing
 anywhere in the dry desert.
 Love, fresh, flower, moist—
 I have to leave behind.
 A pity, I must go—
 my hands dry, my lap dry.
 The master screams,
 must this, must not that—
 his tone and face, bitter,
 his commands and prohibitions, dry.
 Their monotony kills me—
 the carping and the cursing,
 the penance and the drills and the advise.
 Repetitions of the same phrases—dry.
 At breakfast I stare at my fortune in a cup,
 to find only blood clots—dry.
 O heart, expect nothing from these people,
 since their benevolence,
 like their beliefs and reason,
 has long gone dry.
 The harp has become quiet,
 the flute has lost its melody—
 rejoice that the firewood
 gathered for the winter is dry.
 The green-songed-doves in blazing Tamooz*
 have lost their cheer and flight—
 their throats parched dry.
 I am thirsty, o, Muslims—
 If you follow your faith—
 I seek water, water in this desert,
 burning dry.

* June-July in the Syriac calendar.

FROM THE STREET (I)*(Kağazin Jameh, 1992 [1983])*

- What's new? Any news?
- It's milk today.
- Good! But even better,
cheese, cigarettes, and tea.
- What about eggs?
- if you buy them on the black market,
ninety tumans is the punishment for thirty.
You must make do with Garlic and turnips,
for sustenance.

- From the Front? Any news?
- What you always hear:
outrageous massacres by the enemy,
and the captive's screams of rage.

- Any news of Yūsuf?
- His letter came yesterday.
The wolf has not eaten him.
But Abbas has gone to pieces.

- And Qodrat?
- His legs were crippled.
He is stuck at home.
The government doesn't care,
and his family is poor.

This is the fourth year of The War.
The News-at-Six said:
they don't want peace.
This is hat the Old Sage
has decided.

- Of the youth, no one's left.
- The war's reserves
are the children.
This river will flow,
by and by, with blood.
- How long will it last,
this bloodshed?
- As long as children

- are born from mothers.
- Tonight I will take the pill.
Since to give birth
is such a major sin.
- Me too . . . Despite the desire.
Enough is enough.
[Bitter laughter bursts
on raw nerves,
like two boxes of arrows.]

FROM THE STREET (VI)*(Kaqazin Jameh, 1992 [1986])*

When the woman confessed for the fourth time,
stoning her to death became necessary
as religion demands.
With his own hands the judge untied this knot,
disclosing the hidden secret
to everyone.

The light of the law summoned the believers,
setting their breasts on fire like the dawn.
One climbed a rooftop, another a tree,
offering strength and stones
on behalf of their faith.
By and by, hands weakened,
zeal waned,
weariness grew.

There was still some life
left in the woman.
Her guard became rabid.
He finished her off
by lifting a cement block
and crashing it down
on her head.

I thought, thanks to the powers of the invisible,
religion is now in step with the times.
For this is the age of cement,
not stone,
and, at last, death-by-stoning
has given way
to death-by-the-cement block.

(to the Woman of Story Writers, Simin Daneshvar)

MY COUNTRY, I WILL BUILD YOU AGAIN

(*Dasht-e Arzhan*, 1983)

My country,
I will build you again,
if needs be, with bricks
make of my life.
From my bones, if needs be
I will build columns
to support your roof.
Once more I'll inhale
the perfume of your flowers,
with the breath of your youth.
I will wash once more
the blood stains on your body
with my flowing tears.
Once more, the darkness
will leave this house,
and I will paint my poems blue
with the color of the sky.
The resurrector of old bones
will grant me in his bounty
a mountain's splendor
on his testing grounds.
I may be old,
but given a chance to learn,
will begin a second youth
alongside my progeny.
My fervor will bring to life
every word
in the tale of love
for my country.
In my breast
the fire still burning
will give undiminished warmth
to my people.
Once more,
you shall grant me the power,
though my poems
are drenched in blood.

Once more
I will build you with my life
though it is beyond
my strength.

* "*Azm-e Ramum*" or "Rotten Bones"—Qur'anic reference to the day of resurrection, when God will reconstitute human beings from their rotten bones.

NECKLACE

(Kaqazin Jameh, 1992 [1988])

Anxious, agitated, sad,
not hiding her face or body,
not afraid of arrest or policeman,
oblivious to the order,
"cover up and conceal,"
her eyes grapes plucked
from their cluster,
squeezed by the times
to fill a hundred barrels
with blood,
mad, really mad,
a stranger to herself
and others,
in a sleep beyond arousal,
even by the deluge,
a particle of dust
adrift in the wind,
without a purpose
or destination,
lost, speechless,
bewildered,
a corpse left unburied—
she had around her neck
a necklace of curses and tears,
a pair of boots
tied together
belonging to a dead soldier.

I asked her,
what does this mean?
She smiled,
my son, poor child,
on my shoulders,
hasn't taken off
his boots yet.

THE MASTER IMAGE MAKER*(Khat'i ze Sor'at va az Atash, [1976] 1981)*

The master image maker crafted an image
 in which he imagined all existence upside down.
 He painted scarlet the moonlight's silver
 and rust the gold of the sun,
 and dabbed thick laters of rouge and powder
 on the faces of the city's patricians,
 and around the waists of men of manly renown
 draped skirts of golden thread.
 Kaveh's standard he placed in Zahak's hand
 and painted Zahak's snakes* growing
 from Fereidun's* shoulders.
 He tied prayer-charms on heathen arms
 and drew the sign of the cross
 on the breasts of the faithful.
 He offered the fox a fat goose
 and the mighty lion a diner of carrion.
 They were all mistakes, I declared,
 false images devoid of value.
 You made me realize he had only made visible
 what he had seen beneath the surface,
 without fanfare unveiling the secrets of the veiled,
 frauds who sell barley pretending it's wheat.



* Translator's note: All these are related figures from the Persian epics. Kaveh-the-blacksmith is the archetypal liberator, rebelling against Zahak, the archetypal tyrant who cannibalized his subjects, every day feeding the two snakes growing out of his shoulders the brains of two young men. Fereydun is the virtuous prince Kaveh installed on the throne. The Standard referred to is Kaveh's leather apron, which came to function as an emblem, flag, for Iranians.

WOMEN, ISLAM AND THE STATE IN PAKISTAN

Conflict between Muslim modernists and Islamic fundamentalists over the shape of Muslim society and polity has had important implications for rights of Muslim women. Liberating Muslim women from the *'purdah'* and delivering greater educational and employment opportunities to them are important goals for the Modernists and for most of the post-colonial Muslim states. But the Muslim fundamentalists have attacked the modernists as the agents of western imperialism and have instead proposed a model of Islamic state and society for which sexual segregation is one of the central principles. Until the early 1970s the modernists were dominant in this battle over the shape of Muslim states and societies. But in the last two decades the balance has tilted in favor of Fundamentalists. "In the seventies and eighties, because Islam has superseded every other ideological support as a basis for sustaining the legitimacy of the state, Muslim politicians have not only resorted to Islamicly coded messages, they have also occasionally outstripped the fundamentalists in their advocacy of an Islamic Utopia."¹

In this paper I will trace the four phases of Muslim women's movement in the Indian subcontinent: a) the quest towards improvement of women's education and status as part of overall social reform; b) an alliance between women's organizations and the modernist government of Ayub Khan (1958-68); c) the attempt at 'Islamization' by Zia Ul Haq's government (1977-88); d) the response of urban professional women to these changes in government orientation.

Pakistan provides an extremely valuable case study of politics of gender identity in a modern Muslim nation-state. Pakistan is a rare experiment in state-formation. It is the only nation-state deliberately created for the purpose of enabling Muslims of the Subcontinent to live in a state which would not be dominated by the Hindu majority. Few countries have expended as much energy in an effort to shape national identity as has Pakistan. The chief identity problem confronting Pakistan is whether it is an Islamic state which ought to implement the *'Shari'a'* (Islamic law) or simply a state for the Muslims of the Subcontinent? The tension between these two conceptions of Pakistan has far reaching implications for the role of women in public life. In Pakistani political discourse, the phrase

¹ Bruce B. Lawrence, *Defenders of God: The Fundamentalist Revolt Against the Modern Age* (Harper & Row, 1989), p. 191.

'Muslim State' has become identified with the modernist intellectuals and politicians, who stress the development of secular constitutional government and recognize the 'equality' of women. The proponents of the "Islamic State"—chief among whom is the Jammatt-i-Islami—argue that the form of government should be 'theo-democratic' which ought to implement the '*Shari'a*' (Islamic legal system). Such an Islamic state would introduce segregation of sexes and would result in limiting women's access to education and economic opportunities in the public sphere. The different views of the role and status of women plays a central part in distinguishing these two constructions of Pakistan's political identity.

The attempt to implement these two visions of a Pakistani state has had dramatic impact on the lives of women in Pakistan. In 1958 the military government of Ayub Khan attempted to gain legitimacy by promising to create a modern Muslim nation-state. An important part of many changes introduced by Ayub Khan was the Family Laws Ordinance of 1961 which gave variety of legal rights to women. In 1979, another military government headed by Zia Ul Haq, announced its intentions to create an 'Islamic state' and introduced many changes in government policies and laws. Zia Ul Haq's 'Islamization' campaign led to the creation of a group specifically committed to the protection of women's rights. In 1981, the Women's Actions Forum was founded to fight for women's rights in Pakistan. This was the first time in Pakistan's political history that women were mobilized to protect their rights as women.

Social Reformism and the Women Question

Muslim Women have become a symbol of many things to many people. To the Western media the '*chador*' clad Muslim women are the symbol of the repressive and orthodox nature of Islam. To many Western feminists the 'plight' of their Muslim sisters is the symbol of unchallenged patriarchal systems supported by religious fanaticism. To many Muslim modernists the status of Muslim women is a symbol of their societies' backwardness. For most Islamic fundamentalists the Muslim women have become that symbolic space on which the battle with the 'corrupt' and 'infidel' West must be fought and the sanctity and honor of Islam must be protected. But the realities of Muslim women's lives are varied and complex.

Muslim societies have experienced rapid social changes which have led to redefinition in the concept of male and female roles, in the position of women in the economic arena and in the place of women in public life. But to make any general assertions about the role of over half a billion women in over eighty different societies is to wade into the dangerous

waters of over-generalization, oversimplifications and ethnocentrism. It is the Muslim fundamentalist organizations such as the Jammatt-i-Islami who portray Islam as a total ideology which determines every aspect of the believers lives. A monolithic view of Islam which is accepted by the popular media in the West and by many in the academy. But, "recent scholarship has questioned the notion that "Islam" is an immutable, independent source of beliefs and institutions and has focused instead on seeing Islam as a discursive system in which Muslims interact with shared symbols, conveyed in sacred texts and shared institutions, to produce very different cultural worlds." (Metcalf, 1990, p. 6)

Islam is an important force in the lives of women in Muslim societies but other factors such as the socio-economic background of women, economic development level of the societies in which they live and educational opportunities available to them are also important determinants in their lives. The differing concepts of ideal Muslim womanhood, as they are preached and practiced by Muslim governments, can also have tremendous implications for women's lives in Muslim societies.

Muslim Women in the Subcontinent: From Purdah to Politics

The first public deliberations on the need for change in the role and status of Muslim women surfaced at the end of the nineteenth century as part of the larger anti-colonialist movements. The earliest political activities by Muslim women came during the 'Caliphate movement' which was emerged with the aim to pressure the British government into preserving the Ottoman empire. Though small numerically and restricted to the upper and middle class women, it was the first instance of active participation of women in the political sphere. This early political involvement led to formation of many voluntary women's organizations such as the '*Anjuman-e-Khawatin-e-Islam*' (Muslim Ladies Association.) Gail Minuault argues that "all of these Muslim women recognized the power that women's traditional roles in the family gave them, and built on that foundation. They thus remained within the bounds of traditional feminine roles, while engaging in a limited form of political activity. . . Without storming the citadel of male supremacy, these women gained social acceptance for an expanded role in Society, albeit their own, female society."² The increased intensity of the nationalist struggle in the 1930s and 1940s led to the expansion of women's participation in politics. "Women became an impor-

² Gail Minuault, "Purdah Politics: The Role of Muslim Women in Indian Nationalism, 1911-1924," in H. Papanek and G. Minuault, eds., *Separate Worlds Studies of Purdah in South Asia* (Delhi: Chanakya Publication, 1982), p. 220.

tant part of the Pakistan Movement after the League called for the creation of Pakistan at its 1940 session. . . During the 1940s when the League launched a Civil Disobedience campaign in the Punjab, thousands of women marched in the streets of the big cities. They defied tear gas, police repression and *Lathi* (baton) charges."³

The women's participation in nationalist struggle was strengthened by the fact that these nationalist movements were dominated by the 'modernists.' As Michael Fischer points out:

The generation of the thirties saw a peak in secularist, Westernizing, constitutionalist faith. Intellectuals like Taha Hussain, Tawfiq al-Hakim, Naqib Mahfuz, Ahmad Kasravi and Sadeq Hedayat, as well as politicians such as Mustafa Kemal Atatürk and Reza Shah, could speak openly of Islam as a backward-keeping force. Atatürk's reforms in the twenties and thirties became a models both of secularization and of attempts to guide Muslims to use reason rather than tradition in approaching their religion. Religious affairs, including schools to train prayer leaders and preachers, were placed under state control; traditional '*madrāsas*' closed, and the old ministries of the Sharī'a and the religious endowments abolished, as was the caliphate, Sufi orders were banned, the fez and the veil prohibited, and the wearing of ecclesiastical garb limited to mosques, the clause naming Islam as the state religion was removed from the constitution, civil, commercial and penal codes were adopted from Europe, polygamy was abolished, and women enfranchised.⁴

The modernists took up the cause of women's liberation in Muslim societies for several different reasons.⁵ They used the condition of women to emphasize the backwardness of Muslim societies and to highlight their own modernity. For Muslim states interested in rapid modernization the emancipation of women had a great instrumental value:

States and ruling elites used the family issue to help consolidate their power, mobilize women for the labor force, undermine tribal communities, and create a symbolic identity for new nations. Ever after, Middle Eastern states have commonly favored the emancipation of women as a way of breaking down lineage and tribal organization, and as a means of expanding the labor force and enhancing economic development.⁶

³ Rozina Visram, *Women in India and Pakistan: The Struggle for Independence From British Rule* (Cambridge University Press, 1992), p. 53.

⁴ Michael M.H. Fischer, *The Revolt of the Petit Bourgeoisie*, p. 103-4

⁵ There was a range of opinion regarding the women's emancipation among the modernists: from the more conservative view of Sayyid Ahmad Khan who was in favor of only 'traditional' education for women to Qasim Amin (1863-1908), generally credited as the first Muslim feminist who demanded the abolishment of the veil and the social seclusion of women.

⁶ Ira M. Lapidus, *A History of Islamic Societies* (Cambridge University Press, 1988), p. 894.

The improvement of the position of women was viewed as one of the central elements of the modernization and revitalization of Muslim societies by the secular-nationalists. Jinnah, the most important leader of the Pakistan movement had said in 1944: "It is a crime against humanity that our women are shut up within the four walls of the houses as prisoners. There is no sanction anywhere for the deplorable conditions in which our women have to live. You should take your women along with you as comrades in every sphere of life."⁷

But the same colonial situation which led liberal nationalists to seek reform of their society along Western lines also spawned an Islamic fundamentalist response bent upon demonstrating that Islam and Western values are incompatible. Fundamentalists argue that Islam is a complete ideological system which provides guidance to Muslims in their economic, social and civic lives and which contains an inner logic both superior to, and incompatible with, any other system. "Colonialism created the conditions in which an oppositional, identity-preserving, willed Islam could and did flourish."⁸ Maulana Abu Ala Maududi, the most prominent advocate of such an Islamic response, was once asked whether there had been any one particular incident that led him to start the movement of Islamic renewal, his response was:

I am not the kind of person whose life can be drastically changed by any one incident. It is only after great deal of thought and consideration that I establish my goals and then I work gradually to achieve them. But there was one incident that had a considerable impact upon me. In 1937, after staying in Hyderabad for nine years, I went back to Delhi where I witnessed a great change among the Muslims; they were rapidly moving away from Islam. In Delhi, the situation was completely different from Hyderabad, I saw Muslim '*Shurafa*' women walking in the streets without '*purdah*,' an unthinkable proposition only a few years ago. This change shocked me so greatly that I could not sleep at night, wondering what had brought about this sudden change among the Muslims?⁹

Thus for Islamic fundamentalists like Maududi the modernists attempt to change the role of Muslim women is one of the most serious threats to the Islamic world. For Maulana Maududi, the Pakistan of the Muslim League represented the kind of Muslim state based on solidarity other than that of Islam: a state where the nation was the final object of loyalty, and national interests the highest criterion of policy and legislation. The

⁷ Quoted in Khawar Mumtaz and Farida Shaheed, eds., *Women of Pakistan* (London: Zed Books, 1987), p. 7.

⁸ Clifford Geertz, *Islam Observed* (Chicago: Chicago University Press, 1968), p. 69.

⁹ Abu Tariq, *Maulana Maududi Kay Interview* (Lahore: Islamic Publications, 1976), p. 211.

example of Kemalist Turkey in 1940s had alerted Maududi to the highly intrusive nature of such a nation-state.¹⁰ Discussing the prospect of an Islamic revolution under an 'all-encompassing state,' Maududi wrote:

The industrial revolution had led to a dramatic increase in the power of the modern state. The difference between the private and the public has greatly diminished. It has also made the world inter-dependent, making it impossible for people to protect their values from the hegemonic forces in the world. Now the state has given up the '*laissez faire*' practices and gained complete control of the productive forces within societies. Similarly, in the politics, state's control is so complete that loyalty to it has become a religion in itself. Such a state cannot tolerate the existence of an independent source of power: Islam. The modern state has become the opponent of God and religion. In such circumstances, it had become impossible to remain true to his religious convictions, especially if one's religion is Islam which expects total submission from its followers. Thus the only method to make Islam triumphant is through converting the state into an Islamic state.

The earlier writings of Maududi sought to create a new Islamic consciousness for Muslims which could limit the power of the modern nation state. But later he focused on outlining a framework for an Islamic state which would implement the '*Shari'a*.'

In the 1920s and 1930s Muslim modernists had envisioned social reform within the framework of liberal democracy but the failure of democracy had important consequences for the reformist efforts. The fate of the first attempt to achieve political equality for women in Pakistan—the Charter of Women's Rights passed by Constituent Assembly in 1954—illustrate this point. The charter recognized the equality of status, equality of opportunity, equal pay for equal work and rights of inheritance granted under the Muslim personal Law. The two women members of the Constituent Assembly had actively lobbied for this charter and had faced tremendous opposition from both the secular landed politicians who were against the idea of inheritance of property by women and the '*Ulamā*' who opposed the demands for equality for women. Despite the opposition the Charter was passed but it was abolished along with the first constitution when the brief 'parliamentary era' ended with the military coup in 1958. Though much of the reformist agenda, including the improvement of women's status, was co-opted by the authoritarian government of Ayub Khan, the limitations of authoritarian rules constrained this reformist agenda.

¹⁰ Maududi, *Purdah*, p. 269.

Alliance Between Women's Movement and the Modernizing State: 1947-77.

Until 1979, when Zia Ul Haq launched his Islamization policies, the general attitude of the Pakistani state towards women's rights was favorable. Women's organizations such as APWA (All Pakistan Women Association) was started in 1949 by the wife of the then Prime Minister, Liaquat Ali Khan, to work towards providing greater education and economic opportunities for poor women. APWA also lobbied for reforms in Muslim Family Laws and for greater participation of women in legislature and government bureaucracies. APWA enjoyed government patronage, in fact, in many cities, wives of the government officials tended to head the local chapters of APWA.

Branding the 1958 military coup, a revolution, Ayub Khan initiated the cause of modernizing the 'nation' of Pakistan with a zeal equalling that of Atatürk.¹¹ The top policy makers of his administration eagerly absorbed western theories of development and employed Harvard trained advisors to break the 'vicious circle of poverty and underdevelopment in Pakistan.' If the so called parliamentary era—between 1947 to 1957—was characterized by instability, confusion and lack of direction, Ayub's regime became the model of planned social engineering admired by people such as Professor Samuel Huntington who concluded that: "more than any other political leader in a modernizing country after World War II, Ayub Khan came close to filling the role of Solon or Lycurgus or 'Great Legislator' on the Platonic or Rousseauian model."¹²

For women, the most important reform under Ayub Khan's government was the passage of the Muslim Family Laws Ordinance of 1961. In 1955, the Commission on Marriage and Family Laws was established to review Muslim Family law. The commission was composed of three women, three men and one religious scholar. The Commission issued a report in 1956 which recommended greater rights to women in marriage, divorce, maintenance, and custody.¹³ Maulana Ethesham Ul Haq Thanvi, the only '*ālim*' (religious scholar) in the Commission, issued a dissenting report in which he criticized the methodology of the Commission as un-

¹¹ See Herbert Feldman, *Revolution In Pakistan: A Study of the Martial-Law Administration* (Karachi: Oxford University Press, 1967).

¹² It was Ayub's system of 'Basic Democracies' that elicited such high praise by Samuel Huntington. See *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), p. 251.

¹³ Many modernists in Pakistan had realized the need for change in the Muslim Family Laws but the immediate impetus for the creation of the Commission came with the lobbying of two women's groups: All Pakistan Women Association (APWA) and the United Front for Women's Rights. See Mumtaz and Shaheed, ed., *Women in Pakistan*, p. 56.

Islamic. The Jammatt-i-Islami also carried out a well-organized campaign against the Commission's recommendation. Due to the pressure from the traditional and fundamentalist religious forces no further action was taken on the report till Ayub Khan issued an Ordinance, implementing most of the Commission recommendations.

Ayub Khan was highly contemptuous of the '*Ulamā*' and the Jammatt, terming them the 'political *Ulamā*,' he wrote:

I knew that the '*Ulamā*' will not be satisfied with this arrangement. They claimed the exclusive right to interpret and decide matters pertaining to Islam. . . . The History of the '*Ulamā*' in the Sub-Continent has been one of the perpetual conflict with the educated classes. . . I wish to make it clear that here I am referring to that class of '*Ulamā*' who were openly engaged in politics and not those God-fearing people who have served the community by teaching Qur'an and propagating the message of Islam in a selfless, humble, and devoted manner.¹⁴

Ayub Khan's implementation of Muslim Family Law Ordinance, his opposition of traditional and Fundamentalist Islamic forces and his attempt at rapid economic modernization, that included greater education for women and emphasis on family planning, earned him the reputation of defenders of Women's rights until the 1965 elections. Ayub Khan had created a system of 'Basic Democracies' which attempted to bypass the national political parties and provide a means for political mobilization that could be controlled and manipulated by a strong central government. In 1964 a majority of the political parties formed an alliance on the platform of direct elections and parliamentary system of government. The Combined Opposition Parties (COP) choose Fatima Jinnah, the sister of the founder of Pakistan, as their candidate to challenge Ayub Khan's Presidency.

Fatima Jinnah's candidacy generated the controversy over whether a women can be the head of a Muslim state. Ayub Khan exploited this issue to his advantage. He extracted a '*fatwā*' (ruling by the '*ulamā*' on a point of Islamic Law) by a group of '*Ulamā*' which declared that Fatima Jinnah's candidacy was un-Islamic. Fatima Jinnah's candidacy not only demonstrated the limit of Ayub Khan's 'feminism' it also demonstrated the primacy of the political process over ideological rigidities. The Jammatt-i-Islami was part of the COP and therefore she was their candidate too. To actively support a candidacy of a women for a head of the state, (especially a woman such as Fatima Jinnah who did not observe the '*purdah*' and therefore, did not fit Jammatt's conception of an ideal Mus-

¹⁴ *Ibid.*, p. 200.

lim woman) was completely antithetical to Jammatt Islamic ideals. The Jammatt's view of women's role in Muslim society is uncompromisingly orthodox. Until 1963, the Jammatt had denied full participation to women in the political process. It argued that "experience has shown that adult franchise for women under the prevailing conditions in Pakistan has proved unsuitable for them and harmful for the welfare of the country. In Islam, active politics and administration are not fields of activity for the women-folk." The Jammatt's reluctant decision to support Fatima Jinnah's candidacy is a good example of the difficulty of maintaining ideological purity in the process of electoral politics.

During the Zulifkar Ali Bhutto's government (1970-77), women's rights continued to be a part of government's modernizing agenda. Bhutto's People Party had organized a women's wing and had made special pledge towards women's equality in its manifesto. Article 25 of the 1973 Constitution stipulated that will be no discrimination on the basis of sex, and promised equality of opportunities for women in government employment. Women were also appointed to high profile government jobs such as vice-chancellor of the university or deputy speaker of the National Assembly.

The 1977 military coup was a turning point for women's movement in Pakistan. The 1977 military coup was unique in one respect. To the traditional twin justification of military rule in Pakistan, 'political instability' and 'threat to nation's survival'— General Zia Ul Haq added the promise of implementing an Islamic system. Thus General Zia Ul Haq became the first ruler in Pakistan's history to unequivocally assert that "the introduction of an Islamic system is an essential prerequisite for this country."¹⁵ Implementation of the '*Shari'a*' (Islamic Laws) through an 'Islamization' process was the central promise of his regime. The most visible aspect of this so called 'Islamization' policy was to limit women's role in the public sphere.

To purify public morality, television and film censorship increased. Women were required to wear 'headdress' and 'decent' clothes before they can appear on the state controlled television. The Federal government issued 'chador' directives to all women employees. The fundamentalist perspective became pronounced in the government controlled media.

Television programs depicted women as the root cause of corruption, as those who forced poor men into accepting bribes, smuggling or pilfering funds, all in order to satisfy the insatiable female desire for clothes and jewelry. Similarly, working women were the cause of lax morality and the disintegration of the family and social values.¹⁶

¹⁵ see *Pakistan Times*, 'Full Text of Zia Ul Haq's Speech,' 6th July, 1977.

¹⁶ Mumtaz and Shaheed, eds., *Women of Pakistan*, p. 82.

The government also attempted to restrict women's participation in so called 'spectator sports.' There was, moreover, a great deal of discussion in the official circle about creating 'women's university' in order to completely segregate educational institutions. Undoubtedly, the official embrace of the fundamentalist perspective created an unfavorable atmosphere for women. There were numerous incidents of harassment of women by strangers who felt free to comment on their appearance. But it was the changes in the three areas of law—*Ḥudūd* Ordinances of 1979, 1984 Law of Evidence and '*Qisas*' and '*Diyat*' which had the most drastic implications for women's lives

In February 1979, Zia issued a series of Martial-Law ordinances instituting '*ḥudūd*' (Qur'anically prescribed penalties for theft, adultery, fornication, and consumption of alcohol).

At the legal level the part of the Ordinance which affects women most seriously is '*zina*.' It encompasses adultery, fornication, rape and prostitution. There are two sections: 1) *zina* (adultery and fornication) and 2) '*zina-bil-jabir*' (rape). . . For the crime '*zina*' the maximum punishment, '*ḥadd*' is stoning to death for married persons and 100 lashes for unmarried persons. However, the level of proof required for '*ḥadd*' is that there be four Muslim male adult eyewitnesses of good repute to the act of penetration, or a voluntary confession in a competent court of law. . . By prescribing that there must be four Muslim male adults as eyewitnesses, it excludes the testimony of women altogether for '*ḥadd*.' Secondly, the law makes no distinction between rape and adultery and requires the same levels of proof.¹⁷

In 1984 the Evidence Act of 1872 was replaced by The Law of Evidence which initially prescribed that in all cases other than those covered by the *Ḥudūd* Ordinance and by any other 'special law,' two male witnesses, and in the absence of two male witness, one male and two female witnesses, would be required for proving a crime. Due to successful agitation by women's organization (to be discussed later) the interpretation finally decreed into law restricts the testimony of two women being equal to one man only to financial cases.

In 1984 the Law of '*Qisas*' and '*Diyat*' was proposed. The word *qisas* literally means retribution and covers punishment in the logic of an eye for an eye, while *diyat* is blood money for murder, or financial compensation for physical injury in lieu of retribution. . . the original draft proposal of the law stated in Section 25(b) that the *diyat* for a female victim of an offence of unintentional murder would be half that of a male. . . Similarly, in all instances of compensation for bodily injury, an injured or

¹⁷ *Ibid.*

maimed woman would only receive half the compensation due to a man for the same injury. On the other hand, women guilty of murder or causing bodily injury would be liable to the same punishment as men.¹⁸

The fact that redefinition of women's role in the public sphere was one of the essential requirements for the fundamentalist forces became even more apparent in July, 1983 when a Commission appointed by General Zia Ul Haq issued its report on the framework for an Islamic state in Pakistan. The report recommended that the '*amīr*' (head) of an Islamic state should be Muslim and male. It also suggested greater restrictions for women contesting general elections for the '*majlis-i-Shūra*' (elected assembly). The age limit suggested for women candidate was no less than fifty years, (it was 25 years for men) and the women had to acquire a written permission of their husbands.

Islamization and the Formation of 'Women Action Forum' (WAF)

The most important challenge to the 'Islamization' policies of the authoritarian government of Zia Ul Haq came from the urban professional women who organized WAF in 1981 with the following charter:

Women's Action Forum (WAF) or Khawateen Mahaz-e-Amal is a consciousness raising group aimed at enabling women to fight for their rights. It is also a lobby cum pressure group committed to protecting and promoting the rights of women by countering all forms of oppression. It is non-hierarchical, non-governmental, and non-political. It seeks to bring together individuals and organizations of a common platform for women's rights. 1) Women have the right to life, liberty, dignity, freedom of movement and security of person. 2) Women are equal partners in the development of the country and should be recognized as such. 3) Women have the right to determine their lives according to their own aspirations. 4) Women have the right to participate in recreational activities, sports and all aspects of cultural life. 6) WAF does not believe in the principle of enforced segregation.¹⁹

Armed with the above Charter, WAF launched a sustained campaign against all of those elements of Zia Ul Haq's Islamization policies which had negative implications for women in Pakistan. Though it was small in number and limited to the major cities of Pakistan, WAF was very successful in starting a national debate on the inequities of the proposed legal

¹⁸ *Ibid.*

¹⁹ *Charter of Women's Action Forum*, Chapter One, p. 1.

changes, becoming the only force, at the height of martial-law, to challenge the policies of the military government. WAF was also responsible for delaying the implementation of many of the proposed legal changes and in preventing other anti-women proposals from becoming a reality. I will discuss four examples of WAF's success in challenging the 'Islamization' policies.

One of the first changes made by the military government was the use of state controlled media for the propagation of fundamentalist view of Islamic state and society. In 1981, a weekly discussion program featuring Dr. Israr Ahmed, a vocal proponent of Islamic fundamentalism, was introduced. Dr. Ahmed's interpretation of Islam alienated many Muslims but it especially outraged members of WAF. He had forbidden the presence of women during the recording of his show and had made statements such as : "all working women should be retired and pensioned off, and that in any case women should not leave the confines of their homes, except in emergencies. . . no one could be punished for assaulting or raping a women until an Islamic society had been created"²⁰ WAF issued various press statements denouncing his views and demanded an immediate termination of his television program. WAF demonstrated outside the Karachi television station. A few days after the demonstration his program was taken off the air. "The television authorities maintained that this change was pre-scheduled and was unrelated to the women's demands. In the public eye, however, the end of Israr's appearance on television was directly attributed to the widespread protest."²¹

A second instance of WAF's ability to publicize the negative ramifications of Zia's 'Islamization' for women was the 'Hudūd Ordinance.' Some cases brought under the 'Hudūd Ordinance' demonstrated the possibilities of grave injustice for women. The most extreme example was 'Safia Bibi' case. Safia, an 18 year old, virtually blind girl from a poor peasant background, was employed as a servant in a local landlord's house. She was raped both by the landlord and his son and had become pregnant. Her father registered a case of rape against the landlord. The father and son were acquitted due to lack of evidence under the new ordinance, (testimony of four reputable male witnesses!) but her pregnancy was used as an evidence of adultery and the judge sentenced her to public lashing, three year prison term and fine. WAF investigated the details of the case and widely publicized it. WAF, along with other women's groups, filed a

²⁰ Quoted in *Women in Pakistan*, pp 83-4 The statement about rape demonstrates the traditional position of the fundamentalist that crimes like rape are the result of desegregated society where men and women mingle freely and that in an Islamic society with sexual segregation problem of rape will diminish greatly.

²¹ *Women in Pakistan*, p. 85.

writ in the Federal Shariat Court challenging the Hudūd Ordinance. The national and international publicity of the case was extremely embarrassing for the Zia government. The Federal Shariat Court decided to take up the case for review. It rescinded the lower court's judgement and severely criticized the methodology used by the Session Judge to arrive at the decision.

For the women's organizations a very significant aspect of the case was the high level of sophistication achieved in organization and coordination. Not only did WAF Lahore bring together women's organizations to make a combined and concerted effort, by giving joint statements and holding joint meetings, it also coordinated very effectively with the other chapters. Karachi WAF mobilized against the Hudūd Ordinance. Islamabad WAF made contacts and lobbied, providing much needed information about the stages of the appeal in the FSC (Federal Shariat Court). Money was raised by the various chapters for placing notices in leading daily newspapers highlighting the injustice inherent in the Ordinance.²²

Though WAF was not successful in repealing the 'Hudūd Ordinance,' it did force a public debate on the inequities of the law and the successive clarification by the Federal Shariat Court made it less discriminatory for women.

WAF spent most of 1983 and 1984 agitating against the proposed Law of Evidence and '*Qisas*' and '*Diyat*.' Once again, WAF took the lead in bringing out what it considered to be the unfair aspects of the proposed Ordinance for women. It consulted lawyers and Islamic scholars to indicate that the Ordinance was not within the framework of the Qur'ān and the *Hadith* (the two main sources of the *Shari'ah*). The most dramatic moment of WAF's campaign against Zia's Islamization came while protesting the Law Of Evidence. In February, 1983, it organized a public protest by various women's organizations against the Ordinance. The protest led to the clash with police and arrest of more than fifty women.

The impact of the 12 February demonstration was tremendous. All of a sudden women were being taken seriously; by politicians, for having the ability to create a law and order situation; and by other women, who were forced to examine the proposed law which had moved women like them to take on the State. There was also a reactionary section (made up of both men and women) which was infuriated by the women demonstrators, and viewed the march as a violation of the role prescribed for women in Islam. For the women who had participated, very few of whom had even seen a demonstration be-

²² *Ibid.*, p. 104.

fore, the experience with singularly liberating. To have confronted not only the police violence but also to have been arrested and taken into custody was unprecedented.²³

The opposition by WAF delayed the imposition of the Law and when it was finally implemented, it was greatly modified to make it less discriminatory for women.

There were also examples of government taking actions to modify the growing perception that its policies were anti-women. After a particularly brutal case of rape and public humiliation of a woman in a small Punjabi town, WAF mobilized various women's organization to launch a campaign towards ending violence against women. The campaign included visiting the scenes of crimes against women, revealing the problems in existing laws and demonstrating and picketing.

Women's organizations were indeed surprised when, barely a week after their campaign, the Ordinance against crimes was passed. It provides for the death penalty or life imprisonment for 'assaulting or using criminal force against a woman, to strip her naked and in that condition expose her to the public.' The Ordinance did not apply if the women were beaten up, stripped naked, raped or killed within the confines of the house: only in public. That it was a response to the nationwide agitation is quite obvious.

Another instance of government attempt to appease growing militancy of the urban professional women was its implementations of many of the recommendations of the Ansari Commission's report but rejection of those parts which restricted women's participation in politics.

Women's Movement in Pakistan

Perhaps the most important contribution of WAF was to start a women's movement in Pakistan. Until 1979, the urban educated middle and upper middle class women in Pakistan viewed the traditionalism of the *Ulamā*, the fanaticism of the Fundamentalists, patriarchal culture of the Subcontinent and illiteracy of the masses, as the main reasons for the lower status of women in Pakistan. They looked up to the modernizing state as the force which, through its 'enlightened' policies, would counter these societal forces and raise the status of women in Pakistan.

During the Pakistan Movement there had been an effective alliance between those fighting for women's rights and those leading the Pa-

²³ *Ibid.*, p. 107.

kistan Movement, and in the years that followed independence this belief appeared justified, as government after government, whether that of martial law or democratic elections, continued to introduce measures that promoted women's rights and women's participation in various spheres of national development. It was only after the imposition of General Zia-ul-Haq's martial law and the unexpected shift in policy at the top, that women belonging to the upper and upper-middle classes realized just how fragile their hold on their rights was. With this came the realization that firstly, as one could not depend on the central government to guarantee women's rights, women themselves would have to be mobilized, and secondly, that until a greater number of women were made conscious of their lack of rights and were prepared to join forces to counter the prevailing trend, whatever rights were granted and enjoyed would remain insecure.²⁴

There is much debate among the members of the WAF regarding the nature of their struggle.²⁵ In the early 1980s, when WAF was the only force challenging the policies of a Martial-Law government under very repressive condition, many political parties, especially of leftist inclination, had approached them to make alliances. But WAF decided to focus on women's issue and declined these offers. Many progressive men criticized them for not presenting a common front to fight for democracy in Pakistan. But WAF argued that the situation demanded a women's movement to protest the misogynist policies of the government.

Another notable feature of WAF's struggle was its refusal to concede to the traditional 'Ulamā' or the Fundamentalists sole right to interpret Islamic Law. Though most of WAF's member defined themselves as Muslims, they viewed religion as a private matter and did not believe that it ought to shape public policies. They were not well versed in the Qur'anic exegeses or the Science of *Hadith*. But in the process of fighting against Zia Ul Haq's Islamization policies they were forced to learn more about the *Shari'a*. There were some members of the WAF who argued that Zia's policies ought to be countered exclusively on the secular democratic basis. But others argued that a defense of women's rights constructed within an Islamic framework would be more effective in a country where majority of men and women took religion seriously.²⁶ WAF relied on Muslim feminist theologians such as Riffat Hassan and worked at a feminist interpretation of Muslim laws and history. Such a position offers a possi-

²⁴ *Ibid.*, p. 75.

²⁵ I had gathered information about WAF through Interviews with some of its members. I have also relied heavily on the book: *Women in Pakistan*, written by the two founding members of the WAF.

²⁶ Interview, January, 1983.

bility of expanding the base of WAF beyond middle and upper class professional women.

One of the most important criticisms levelled at WAF is its narrow base. Many argue that WAF, made up of privileged professional women, is irrelevant to the lives of majority of Pakistani women. Undoubtedly the Islamization policies of Zia Ul Haq were a major shock to the urban professional women. As one member of WAF put it:

For most of us professional women in urban centers of Pakistan, events of 1979 were appalling. Until then our privileged backgrounds had protected us but now we could be harassed by men in streets because they did not like what we were wearing. The prevailing atmosphere was especially hostile to professional women because we were perceived as the main threat to the Fundamentalist view of an Islamic society.²⁷

The different class backgrounds of the Muslim fundamentalists and the urban professional women is an important variable in appreciating the politics of gender in Muslim countries.

Fundamentalists and unveiled women are the two groups that have emerged with definite disturbing claims and aspirations in the post-colonial era. Both have the same age range—youth—and the same educational privilege—a recent access to formalized institutions of knowledge. But while the men seeking power through religion and its revivification are mostly from newly urbanized middle and lower-middle-class backgrounds, unveiled women on the contrary are predominantly of the urban upper and middle class.²⁸

These Muslim fundamentalist men compete with educated urban women over limited educational resources and shrinking employment opportunities. But the conflict between Fundamentalist men and educated urban women can not be reduced to conflict over access to limited material resources. For Muslim fundamentalist men, these 'Westernized' women are the central symbol of the *kulturkampf* between Islam and Western imperialism.

If WAF is confined to a limited constituency of urban professional women then Islamic Fundamentalism is also a minority position in Pakistan. The main representative of Islamic Fundamentalism in Pakistan, the Jammatt-i-Islami, has performed poorly at the polls. But the Jammatt has wrested the ideological initiative from the modernist force and has

²⁷ Interview, January, 1993.

²⁸ Fatima Mernissi, *Beyond the Veil: Male-Female Dynamics in Muslim Society* (Indiana University Press, 1987), p. 6.

framed the ideological discourse regarding the proper identity and political framework for Pakistan.

The ability to formulate a coherent Islamic ideology, effective use of print media, emphasis on transforming the worldview of the 'educated' class, and a lack of any competing force capable of providing a systematic alternative doctrine had enabled Jammatt to set the terms of debate regarding the Islamic identity of Pakistan. WAF is a newcomer on the political scene and, compared to Jammatt, it has very few organizational resources. But it has shaped the debate regarding the role and status of women in Pakistan. WAF has made effective use of the press to publicize its concerns and through methods such as public protest, picketing, writing position papers, issuing video and audio recordings of its meetings, it has made an impact much deeper than the number of its members might warrant.

Women's Movement in the Post-Zia Pakistan:

Women's Action Forum was created to counter Zia's Islamization policies. For many activists of WAF Benazir Bhutto's government was a sign of the success of their struggles. Though a detailed examination of women's question under the first Muslim Woman prime minister is beyond the scope of this paper one can make two tentative judgements about Benazir Bhutto's impact on women's status in Pakistan. Benazir Bhutto was forced to adopt a defensive posture by the various religious groups who zealously attacked her credentials to head an Islamic state. Thus despite the promise to repeal the Hudud Ordinance or the Law of Evidence during the 1989 campaign, her government has yet to deliver on that promise. But as many have commented, the symbolic impact of Benazir Bhutto's status as the women prime minister is substantial.²⁹ There has also been some concrete steps taken to address women's issues such as appointing women judges, opening banks and police stations only for women.

During the first two years of Bhutto's government the WAF became generally inactive but with the dismissal of Bhutto government and the continued question of the implementation of *Shari'a*, WAF along with many other women's organization has once again become active on the political scene. Rape and domestic violence, sexual harassment in the workplace and abuse of women in police custody³⁰ have become promi-

²⁹ See Anita Weiss, "Benazir Bhutto and the future of women in Pakistan," in *Asian Survey* (May, 1990), pp. 433-45; Nancy Fix Anderson, "Benazir Bhutto and Dynastic Politics. Her Father's Daughter, Her people's sister," in Michael Genovese, ed., *Women as National Leaders* (Newbury Park: Sage Publication, 1993).

³⁰ Prior to the introduction of the Islamic penal system or the 'Hudud Ordinances' women were not involved in the criminal justice system in any significant number but after 1991 more

nent issues for growing numbers of NGOs (non-governmental organizations) such as WAR (Women against Rape).

The association of Women's emancipation with the modernist forces in Muslim countries has had important consequences for the emergent women's movements. First, public policies such as education for women or reform of Muslim family laws aimed at improving women's status were often introduced by authoritarian government such as the Phalavi regime and Ayub Khan's government. The sponsorship of the 'women's cause' by these authoritarian governments made the issue of improvement of women's status susceptible to the charge of 'unauthenticity.' The Fundamentalists have consistently accused unveiled, urban professional women of imitating the 'corrupt' West and abandoning their own Islamic heritage. In Pakistan the urban professional women were catapulted into political activism once the state turned 'fundamentalist' under the Zia Ul Haq's regime. One of the most notable contribution of WAF, then, was to start a 'women's movement' in Pakistan. The most important challenge facing WAF and NGOs devoted to improvement of women's status in Pakistan is expanding their social base to include women from lower-middle class and working poor.

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than 2,000 women were imprisoned under these laws alone. A recent human rights report documented women's physical and sexual abuse by the police. See *Double Jeopardy: Police Abuse of Women in Pakistan*. (A report by Asia Watch and the Women's Rights Project, 1993).

"THE NEW MUSLIM WOMAN:" SUDAN'S NATIONAL ISLAMIC FRONT AND THE INVENTION OF IDENTITY

Introduction

There are a number of potentially transformative processes currently taking place in Sudan, some of the most significant of which are related to gender dynamics and the upheaval of gender arrangements. These processes are being acted amidst a backdrop which the editor of this issue has referred to as the "Islamic maelstrom." One of the most active and seemingly successful Islamic movements in the world is taking place in Sudan, headed by the National Islamic Front (NIF), the political manifestation and successor of the *Ikhwan* (Muslim Brotherhood) and the *de facto* single-party behind the military regime that took over the state in 1989. Recently I have been examining the impact on women of the rise of Islamism and their role in the National Islamic Front (NIF). More significantly, I have been analyzing how Islamist women themselves are agents in the transformation processes.

This essay is a study of some of the political strategies that one Islamic state, Sudan, is employing to effect cultural hegemony through the manipulation of identity politics (including gender). This strategy includes the invention of the "New Muslim Woman" and the reinvention of "Muslim," as it is disaggregated from "Arab." These two categories had historically been conflated, but are now being treated as discrete. A second process is the legitimizing of the Islamic state through a process of "authenticating" the culture.

For this essay I have combined several segments of my fieldwork in Sudan, extending from 1961 to 1988. The examination of the NIF is partially based on research in Khartoum, in 1988,¹ and is an attempt to integrate my interest in Sudanese women's studies with a theoretical examination of the relationship of the state to issues of culture (including religion), ethnicity, and class. This paper is one component of my interest in the mechanisms the state and/or party employs for achieving both political and cultural hegemony. I am using Marxist concepts of the state

¹ The 1988 fieldwork for this project was partially funded by a grant from the UCLA Center for the Study of Women and the Gustave von Grunebaum Center for Near Eastern Studies. Research Assistants in Khartoum were Amal Abdel Raḥmān and Sunita Pitamber and at UCLA William Young and Sherifa Zuhur. I want to thank them.

and its hegemonic character to suggest the manipulation of culture (in this case, the intersection versus disjuncture of religion and ethnicity).² Here I also discuss one of the mechanisms men in power are using to create and maintain hegemony, i.e., positioning women to serve the culture as not only the carriers of culture, but of morality as well.³ In the Sudanese case this means positioning women to develop an "authentic" Sudanese culture based on an "original" Islam, but an Islam separate from, though connected to, "Arab" culture. I have been trying to determine if it is the women themselves, as primary actors in their own story, who are creating (inventing) their own identity apart from an Arab culture that many women see as patriarchal and oppressive, and to what degree women collaborate in their placement by men as the nexus and embodiment of the culture.

Feminist theory, which proceeds deductively from a premise of gender asymmetry, offers a possible explanation in the demographic needs of

² I am referring to Antonio Gramsci's work on state hegemony. It may be useful here to describe a concept of the "state," which I interpret as a cluster of interrelated institutions organized by the ruling class (whether this is ruling class by election as in bourgeois democracies or by self-appointment) for the purpose of controlling the subordinate population and disseminating the ideology of that class. State apparatuses of control are, of course, the military, police, militia, intelligence units, the courts, immigration and citizenship laws, and the like. Often less obvious, but just as relevant to this research, are some of the apparatuses for the dissemination of the dominant group's ideology, e.g., the media, the arts, the educational system, social welfare departments, religious institutions, and the like. Liberals or bourgeois democrats forward the concept that the state is an institution to which the *people have access* perhaps through the apparatuses I have just mentioned. But I try to turn this concept on its head in the same way, perhaps, that some have turned the model of patron/client on its head [in reference to Michael Gilson, "Against Patron-Client Relations," in *Patrons and Clients in Mediterranean Societies*, eds. E. Gellner and J. Waterbury, (London: Duckworth), pp. 167-83]; and present the state as functioning to give itself (ergo, the ruling class) *access to the people* and their resources.

It is not the purpose here to enter into the debates on the nature of the state, e.g., whether or not the pre-capitalist state was an autonomous entity separate from its class base or is an extension of the ruling class. It should be clear that I am using a revisionist approach to the latter, one which derives from the ideas of Antonio Gramsci, *Selections from the Prison Notebooks* (London: Lawrence and Wishart, 1971), *Selections from Political Writings 1910-1920* (London: Lawrence and Wishart, 1977), and *Selections from Political Writings 1921-1926* (London: Lawrence and Wishart, 1978), but borrows from others, e.g., Nicos Polantz, "The Problem of the Capitalist State," in *New Left Review*, 58 (1969), pp. 119-33. As for state apparatuses, I have used ideas from Gordon Clark and Michael Dear, *State Apparatuses: Structures and Language of Legitimacy* (Boston: Allen and Unwin, 1984), especially a section on "State Apparatus and Everyday Life" (pp. 60-82).

³ Virginia Sapiro stated: "Regarding women as the carriers of both culture and morality but, at the same time, as having an essentially weaker grasp than men on culture and morality may appear a logical contradiction at first blush, but it is no cultural contradiction. It is a cornerstone of the views of women found in diverse pillars of cultural explanation, in Islamic, Christian, and Jewish theology, in Aristotle, and in Freud." "Engendering Cultural Differences," in *The Rising Tide of Cultural Pluralism*, Crawford Young, ed. (Madison: University of Wisconsin Press, 1993), p. 52.

the state to effect a gender realignment in the area of labor.⁴ But that does not explain the collusion of women in the process.

There is an apparent paradox in Sudan with regard to women's activism. I have observed two contradictory or antagonistic processes in juxtaposition in that there are two Sudanese women's movements, or more accurately, two segments of activism—one among the "secular" left of the Sudanese Women's Union, a Communist Party (SCP) front and the other among the cultural nationalists (and Islamists), the women of the National Islamic Front (NIF). In reality, however, with regard to men's positioning of women to serve the culture, the two perspectives are not that far apart. Both lay claims to elevating the position and status of women, the former by placing the "woman question" and the emancipation of women at the forefront of the political struggle; the latter by also placing women and the family at the center of the culture. In the case of the former, there is often an assault on women's indigenous culture (e.g., the *zaar*, a mainly women's spirit possession cult), whereas other aspects of indigenous, orthodox, or atavistic culture are tolerated. In the case of the NIF, there is also an assault on women's culture, e.g., heterodox practices seen as "backward" and affronts to Islam, while certain customs within Islam that may appear atavistic are tolerated.⁵

Marxists have often used the concept of "false consciousness" to explain how to account for women's participation in "patriarchal" religious movements and to raise the question of whether or not women's own culture can hoodwink them. Feminists, however, trained to make *women* central to their analyses, look to the personal experiences of women and to the concrete conditions of their lives, in the process, validating women's perceptions of their own situation and conducting interviews in which the investigator is not abstracted away and in which the woman interviewed becomes the subject of her own story.

Within this overarching framework I have generated hypotheses to account for (1) the Sudanese state's manipulation of religious ideology;

⁴ Making "gender" central (however, always in its relationship to class and culture) is often seen as "Western" when, in reality, gender as a category is not exclusively a concept of Western feminist thought. For example, in relation to this research, "gender" is a central category of *shari'a* (Islamic law).

⁵ I further elaborate on the positioning of women by men to serve parties or movements on both the Left and the Right in my forthcoming book, *Gender Politics in Sudan. Islamism, Socialism and the State* (Boulder: Westview). Elsewhere I concentrated on the Sudanese Communist Party and its affiliate, the Sudanese Women's Union, "Transforming Culture or Fostering Second-Hand Consciousness? Women's Front Organizations and Revolutionary Parties—the Sudan Case," in Judith Tucker, *Arab Women: Old Boundaries New Frontiers* (Bloomington: Indiana University Press, 1993), pp. 149-74. For a closer analysis of identity politics and the state in the Islamic movement in Sudan see, Sondra Hale, "Gender Politics and Islamization in Sudan," *South Asia Bulletin*, Vol. XIV, No. 2 (1994), pp. 51-66.

(2) the reinvention of cultural identities to conform to state ideology; and (3) the centrality of gender in this process, including the gender division of labor. This has involved examining the Sudanese state to determine which apparatuses are being manipulated and why, how, and which segments of the population are experiencing the impact. Because these processes are dynamic, reflecting the changing interests of international capital and the collaborating bourgeoisie, I will specify that I am interested in the contemporary Sudanese state, especially as it has interacted with its subordinate population from 1971⁶ to the present, with special consideration for the impact on women and gender arrangements.⁷

The state—any state—seeks to control labor resources to balance the above three processes, e.g., through the control of population (numbers, distribution, composition) and the control of human resources such as labor power resources. Various ideologies can be generated, resuscitated, or rejuvenated to control these processes, one of which is religious ideology.

I should be clear from the outset that I am not privileging Islam, only the culture of which it is a part, and only so much as it is privileged by the Sudanese state itself. Although using Islam as one variable, I am, in fact, not focusing on religion, but investigating the *secular* processes (politics and state apparatuses) which are set in motion as a result of the expression by the state of religious ideology.

The ambiguous Sudanese boundary between politics and religion is not new. Islam has always been political, and Sudan has historically exhibited sectarian politics. Moreover, these sectarian politics have always been closely associated with the expression of ethnicity, i.e., sects have usually been associated with ethnic categories and/or with regions associated with ethnic groups, e.g., the Anṣār sect behind the Umma Party; the Mirghaniyya (or Khatmiyya) sect behind the People's Democratic Party (later the Democratic Unionist Party); the followers of Mahmoud Taha, seen more as Islamic reformers than a sect, behind the Republicans (formerly Republican Brothers), and the like. That most of these sects had women's groups affiliated with them was not so fully visible until the 1980s (see below).⁸ One must also raise the questions if and why these secular/political *cum* religious processes may be manifested differently in

⁶ In 1971 the progressive factions within the military, in coalition with civil society, carried out an abortive *coup d'état*, partially in reaction, military dictator President Jaffar Nimieri (who had come to power as a leftist), began to move to the right, embracing Islam personally and politically as his *deus ex machina*.

⁷ I am using "gender arrangements" to refer most particularly to the gender division of labor, but also to domestic arrangements in general, e.g., how the family is structured, family ideology (including reproduction), and, specifically, to the relationship of men and women in terms of status and power. The term also refers to production, reproduction, and social reproduction. In this essay I focus on one example of the gender division of labor.

⁸ Perhaps only the Republicans, a newer group, were fully integrated all along

contemporary Sudan, and how they are affecting women and the gender ideology and the reverse. I am questioning what new elements, contradictions, and countervailing processes have entered or developed in Sudanese society and given rise to what Sudanese leaders in the 1980s were referring to as the "New Islamic Trend." This refers to processes in Sudan which Western writers commonly refer to as "the rise of Islamic fundamentalism," a dubious misnomer, and one for which I have substituted "Islamism."⁹

Ethnography and National Identity¹⁰

The categories "Arab," "Afro-Arab," "Nubian," "African," and the like have been debated for some time within and without 20th century Sudan: as self-labels (sometimes chauvinistic or xenophobic), as imposed categories (often to exclude or dominate); and as putative claims or "false consciousness" (perhaps to disparage).

Nearly every book or article on the social or historical aspects of Sudan dwells upon, or at least mentions, the social and cultural diversity of the area with its over 582 ethnic groups and 110 separate languages. Sources also stress the panorama of ethnic migrations, invasions, displacements, and mixing of populations. The literature is full of clichés about both Sudan and Nubia, such as this typical quote: "The Nile Valley, from the junction of the Blue and White Niles to the first Cataract had become a sinuous vial into which many racial stocks were poured."¹¹ Sudan has been called a "crossroads" between Africa and Arab worlds,¹² "a corridor to Africa,"¹³ "an African frontier zone,"¹⁴ an "Afro-Arab state," "Black Arab," "Islamic-African," and more. Trimingham, while trying to be exact, ex-

⁹ Especially since the Iranian revolution in 1978 there have been popular and scholarly debates over the use of the term "fundamentalist," more often a misnomer. There is a tendency to mistake the rise in Islamic "sentiment" (i.e., people feeling more religious and being willing to express this religiosity in public) and "fundamentalism," often an atavistic tendency. To suggest a movement which uses Islam as a guiding principle, many are using the term "Islamism," or in some cases, "political Islam." It is difficult to escape the totalizing effect of any of these terms.

¹⁰ There is a long discussion of national and ethnic identity and the literature on Sudan in my unpublished Ph.D. dissertation, *The Changing Ethnic Identity of Nubians in an Urban Milieu: Khartoum, Sudan*, 2 vols., University of California, Los Angeles, 1979.

¹¹ John Sommer, *The Sudan. A Geographical Investigation of the Historical and Social Roots of Political Dissension* Unpublished Ph.D. dissertation, Boston University, 1968.

¹² For example, Muḥammad Bashir Sa'īd, *The Sudan: Crossroads of Africa* (London: Bodley Head, 1965).

¹³ For example, William Y. Adams, *Nubia: Corridor to Africa* (Princeton, New Jersey: Princeton University Press, 1977).

¹⁴ For example, L.P. Kirwan, "Nubia—An African Frontier Zone," *The Advancement of Science*, Vol. 19, No. 80 (1962), pp. 330-7.

emplified the difficulty in summing up only *northern* Sudan's ethnic diversity. He classified the north and central people into "Semitized-Hamites or Semitized Negroes, but more clearly. . . Semitized-Negroid-Hamites. . . or Semitized-Hamite-Negroids. . ." ¹⁵ For some time, Sudan ethnography and ethno-history were traditionally divided between those who did African *ethnographic* studies of the Nuer/Dinka/Shilluk or the Nuba and those who did *historical* studies of "Arabs." As one might expect, Arabists dominated ethno-historical scholarship well into the 1960s, inventing and reinventing the Arabs for Sudan. ¹⁶ And, then, predictably, with the building of the High Dam at Aswan and the consequent dislocation of thousands of Sudanese Nubians, Nubian ethno-history became prominent in the mid-1960s and 1970s. ¹⁷ The 1960s invention of a "Nubian" identity was, perhaps, the first major challenge to Arab ideological hegemony before the current regime. In a sense, during this period the categories "Nubian" and "Arab" were disaggregated. Few of my 1988 interviewees mentioned "Nubian" or "African" patriarchal customs, nor Christian.

As we know, the coming of the Arabs to Egypt and Sudan, especially Nubia in the latter case, was very early (seventh century) and gradually weakened the central Christian church. Or, we could say that Christianity became more indigenized. Arabs did not "conquer" Nubia in the name of Islam. At first there were treaties, tribute, and the export of slaves—a pattern with which we are familiar. Muslim traders travelled back and forth, and Islam began to make a mark on the population. Fernea presented evidence that an Arab tribe (the Rabiyya), had forcibly settled around Aswan as early as the eleventh century. They brought Islam, intermarried, and adopted much of the culture of the indigenous people, whom we know today as the Kenzi Nubians. ¹⁸ But it was not until about five

¹⁵ J.S. Trimingham, *Islam in the Sudan* (New York: Barnes and Noble, 1965), p. 18.

¹⁶ For example, the colonial version by H. A. MacMichael, *A History of the Arabs in the Sudan*, 2 vols. (London: Frank Cass, 1922), the Sudanese nationalist version by Yūsuf Fadl Ḥasan, *The Arabs and the Sudan* (Edinburgh: University of Edinburgh Press, 1967).

¹⁷ Bruce Trigger, *History and Settlement in Lower Nubia* (Yale University Publications in Anthropology, no. 69) (New Haven: Yale University Press, 1965), "New Light on the History of Settlement in Lower Nubia" in *Contemporary Egyptian Nubia* (Robert Fernea, ed. (New Haven: Human Relations Area Files, 1966), and *Under the Pharaohs* (London: Thames and Hudson, 1976); Robert Fernea, ed., *ibid.*, Nicholas B. Millet, "Some Notes on the Linguistic Background of Modern Nubia," in Fernea, ed., *ibid.*, Peter Shinnie, *Meroe: A Civilization of the Sudan* (New York: Frederick A. Praeger, 1967), George Armelagos, *Paleopathology of the Archeological Populations from Sudanese Nubia* (Unpublished Ph.D. dissertation, University of Colorado, 1968), William Y. Adams, "A Re-appraisal of Nubian Culture History," *Orientalia*, Vol. 39, No. 2 (1970), pp. 277-88, and Bryan Haycock, "Some Reflections on W. Y. Adams' 'Continuity and Change in Nubian Culture History,'" *Sudan Notes and Records* Vol. 52 (1971), pp. 116-18.

¹⁸ Robert Fernea, with George Gerster, *Nubians in Egypt: Peaceful People* (Austin: University of Texas Press, 1973), p. 9.

centuries later that any mass conversion to Islam took place, which was accompanied by the transformation of riverain Nubians from matrilineal to patrilineal descent, perhaps the most important among the many changes.

Although the dominant culture of the north is Arab, or is referred to as "Arab," the terms "Arab" and "Nubian" are only meaningful at some levels. Contrasting meanings are attached to these labels, depending on whether we are designating the private or public domains. Sudanese Arabs have been divided into twelve main groups broken down into ninety-two individual tribes.¹⁹ These are mainly patrilineal, patrilocal, polygamous, preferring parallel cousin marriage, and belonging to some Sufi order (brotherhood). Variably these Arabs adhered to an amalgam of *shari'a* under Hanafi and Maliki traditions and customary law. They had assumed a common Arab identification and had formed the dominant culture of northern Sudan—or, more specifically, of central riverain Sudan. In the towns along the Nile, however, Arab and Nubian identities have frequently become fused. The fusing of culture in public and urban arenas can be seen in residence patterns, life-cycle ceremonies, religion, education, use of Arabic as the official language, governmental and legal institutions, occupational structure, urban neighborhood structure, and public recreation.²⁰

For some time Sudanese had been sensitive about being thought of as marginal to Pan-Arab culture and to Islam, being hesitant to admit to the prevalent existence of deviations from orthodox (Sunni) Islam. Proud of being Sunni Muslims, governmental and religious officials often denied the formal existence of any Sufi sect, order, or brotherhood (*ṭarīqa*). However, membership in these orders is widespread—the Khatmiyya (or Mirghaniyya) and the Anṣār (Mahdiyya) being paramount. Although these major religious groups are commonly polyethnic, there is a tendency for Arabs to be Anṣārī and Nubians, Khatmis. As I mentioned above, these two groups have also been the basis of two powerful, currently banned, political parties.

Historically, as a general rule, northern Sudanese have insisted on religious unity, often claiming that any sectarian differences prevail only on an individual basis and not in the public domain. Sectarian politics is often blamed on the divide-and-rule tactics of the British colonials, and one can only dismiss this to a point. Advocates of Islamic unity pointed to the following affirming facts: the main urban mosques are polyethnic; all

¹⁹ MacMichael, *op. cit.*, pp. x-xi.

²⁰ See my unpublished Ph D. dissertation, *The Changing Ethnic Identity of Nubians in an Urban Milieu: Khartoum, Sudan*. University of California, Los Angeles, 1979.

Muslims observe the main tenets of the faith; and the various religious holidays and festivals are observed with community-wide spirit.

The ideology of an Arab/Nubian dominant core culture was very well-developed and active.²¹ Nubians and Arabs and their combination have been both defensive and chauvinistic about their national identity. British colonialism, as one has learned to expect, only strengthened feelings of superiority held by Arabs (and Nubians), through British respect for Islam as a "great world religion," their indirect rule through Islamic leaders, and their patronizing of Nubians in a divide-and-rule tactic to divide others from Arabs. Added to that process was a colonial rule that administered the north and south separately (many still over-simplify the north-south civil war as "Arab" vs. "African"), and disallowed the peaceful spread of Islam, resulting in a very divided, Arab-oriented instead of Muslim-integrated Sudan. That Arab culture is rife with patriarchal institutions sets the stage for the Islamist reevaluation of this national identity in their forging of an "authentic culture."

Although most Sudanese intellectuals had more recently embraced the dual "Afro-Arab" designation, in general, northern Sudanese politicians had more commonly referred to themselves and the nation as "Arab," joining the appropriate international organizations to solidify that identity.

Now, for complex gender- and race-related reasons, and because of the current militaristic surge toward integration under Islam, there are new distinctions being drawn within the current Islamist movement between "Arab" and "Muslim." One of the de facto leaders, philosopher/politician Hasan al-Turabi, has made public statements that draw a fine distinction, as have a number of the Islamist women interviewed for this research.

Using field interviews and documents, I have been exploring some rationales for the centrifugal/centripetal strategy related to Arab identity and the forms of identity manipulation the current regime is using. The guiding ideas are that (1) foregrounding Arab identity hinders north-south integration under Islam (e.g., it is easier to "become" a Muslim than an Arab, and the history of Arab slaving in the south can be minimized); and (2) women are more willing to see themselves as potentially liberated from certain patriarchal Arab customs upon a return to "pure" Islam. Also, being accepted by the outside world, especially the Arab/Middle Eastern world, as integral to the "Middle East" is facilitated by Sudanese becoming participants, even leaders, in the region's *Islamic* movements; whereas, being embraced as "authentically Arab" had always been problematic.

²¹ I have written about the Nubian/Arab "core culture" elsewhere. See Sondra Hale, "The Ethnic Identity of Sudanese Nubians," *Merattica*, 5 (1979), pp. 165-72; and "Elite Nubians of Greater Khartoum: A Study of Changing Ethnic Alignments," in N. O'Neill and J. O'Brien, eds., *Economy and Class in Sudan* (Aldershot: Avebury, 1988), pp. 277-90.

The State, Gender, Ethnicity, and Religion

Sudan is one of the poorest countries in the world, made poorer by the influx of large numbers of international corporations and agencies. It has a mainly agricultural economy with a sparsely developed urban population except for the capital, Greater Khartoum (consisting of Khartoum, Omdurman, and Khartoum North), which dominates national and cultural life. For much of the forty years that the country has been independent from British rule, which lasted from 1899-1956, the military has been in power. For many of those years the country has also been split by a civil war between the North and South (intermittently since 1955). In 1985, fractions of the military formed a coalition with civilians to overthrow the Nimieri military regime which had been in power since 1969, and one that had veered sharply away from its origins as a leftist *coup d'état*. That civilian government, dominated by the Anṣār sect (followers of the Mahdi), and Saddig al-Mahdi, head of the Umma Party, established an "Islamic Trend" government.²² In June, 1989, a "National Salvation Revolution," in another military *coup d'état*, ousted the civilians, and in essence installed an NIF government, with philosopher and *Ikhwan* (Muslim Brotherhood) leader Dr. Ḥasan al-Turabi as its *de facto* ideological head.

Many observers of Sudanese politics have been surprised that northern Sudanese are attempting to develop an Islamic Republic. Until 1983, Sudanese had been relatively relaxed about Islam, the dominant religion (approximately 70%), displaying wide tolerance for religious and ethnic diversity. Although for some time there had been pressures for *shari'a* to become the dominant legal/ethical code for the entire country, before 1983 civil and customary codes had remained dominant.

Both the processes of "secularization" prevalent in the nationalist and post-independence period and the current Islamism have been manifested through the ideology of the gender division of labor, especially in the family. Islamism, or the recent "Islamic Trend," is as much about Sudan's changing class structure as it is about religion. The Islamists, mainly of the newly emergent urban middle-class, are walking a precarious line between a regime that obliquely seeks to meet the needs of international capital with its ideology of liberalism, at the same time that it is militantly avoiding cultural imperialism. The cultural positioning of women by men is relevant to the Sudan situation, i.e., women seen as the embodiment of the culture and expected to serve the culture/society through particular forms of labor. Therefore, women and the family unit are integral to the

²² This term, however, is recent (1988), used by the NIF and others in the government to denote the new Islamic tendency in Sudanese politics. Here I am using it in a general sense to mean the rise of interest in Islam and an Islamic state.

state's response to the continuing crisis of Sudan's economy. Women's domestic and wage labor and political participation are revealing.

In the years just after independence the state's expression of gender ideology usually took the form that a "developing" Sudan needed emancipated women. At that time, with the expressed need to build up the urban workforce, the term "emancipated" was thought of as synonymous with wage-earner in the bourgeois liberal parlance, as well as in the Marxist and some of the nationalist vocabularies of post-colonial Sudan. Government media and other state apparatuses (e.g., civil service recruitment, school curriculum) urged the necessity for gender comradeship in developing Sudan. Media images presented the new Sudanese woman as sophisticated consumer or respectable civil servant (earlier as nurse or teacher and later sometimes as doctor). By the 1960s the state could point proudly to the first women doctors.

In our more optimistic years, some feminists might have referred to the "march of Sudanese women": They moved in slow increments into the paid labor force, earned the vote in 1965, were given rights and protections in the constitution, were represented by women in parliament, served in some high positions in ministries (most often social welfare), began to choose their own modes of dress and social manners, and increasingly developed as political activists. The Sudanese Women's Union developed into a membership of some 15,000, participating along with its partner, the SCP, in strikes and demonstrations, elections, and political lobbying. We could certainly say that there was a "woman's movement" or a "feminist movement" in the Western or any other sense.

However, in recent decades we have seen the growth of capital-intensive economic schemes, the appearance of multinational corporations and agencies, uneven regional development, radical changes in labor migration, ethnic power realignments, and Western cultural imperialism, which have all helped to precipitate sociopolitical/economic crises and which have had, as we might expect, a profound impact on gender arrangements.

Some of the people I interviewed contended that the further development in the 1970s of the "Islamic Trend"—or more accurately, the "repoliticization of Islam"—would mean the most significant post-colonial "crisis" for many women. Women interviewees, in particular, pointed to ideological expressions in Islam that often promote an atavistic image of them (e.g., reintegrating their duties in the family, etc.). Furthermore, the romanticizing of reproduction could potentially manipulate women out of the labor force or manipulate them into "appropriate" jobs. If these processes develop further, they could set in motion a major contradiction for women, taking hold in less than three decades after an exuberant independent Sudanese society urged women's "equal participation." Yet, that con-

tradition is tempered by the fact that the NIF also uses the claim of "equal participation" for women. More "radical" nationalists of the lower middle-classes were demanding an end to British rule, and as a part of that nationalist struggle, tended to romanticize "indigenous" values, that is, fostered cultural nationalism. These cultural nationalists generally opposed women's emancipation in the Western sense, arguing that it was an imitation of the West and that it would weaken the nation's basic Islamic unit, the family. They also romanticized women's role in the domestic sphere.

What Sudanese are now experiencing, however, is a class shift. That is, it is now the newly educated urban middle-class which is espousing cultural nationalism in the form of an "authentic religion," and attaching profound importance to the family and romanticizing women's primary role in the abrogation of Western culture. Although the military *coup d'état* of 1969 was then seen as socialist, it is now clear that the ultimately prevailing ingredient was the influence of cultural nationalism. Therefore, throughout Nimieri's "left" period there was a growing tendency toward Islamicization, in general, but especially in the legal system.

Gender, Culture, and the Formation of a New Muslim Woman

Women, if only theoretically, had access to jobs, education, benefits, and political participation, and in many areas they were taking advantage of their opportunities and options. Women were becoming public people, which to some is a threat to the economic and social order.

Complex socio-economic forces were at play in Sudan in the 1970s: e.g., the unemployment rate rose, and salaries did not keep up with inflation. One of the results was an enormous increase in male labor out-migration. Initially gender arrangements were not drastically altered because that out-migration, mainly to the Gulf States, was of working class or minor civil service personnel, but that soon changed, draining Sudan of intellectuals and middle to senior level personnel. This served the government, on the one hand, as there was pressure from lending agencies to prune the overburdened civil service. Yet, there was another perplexing process: women began to move into some of these better jobs, ones seen as the preserve of men, i.e., the better paying and more prestigious jobs.

Secular and/or non-Islamist women were very active in the debates about "appropriate" work and roles for women: writing in the newspapers, making public speeches, and generally speaking out. Also, women members of the SCP and the Sudanese Women's Union actively campaigned against patriarchal attitudes about the gender division of labor. However, from 1985-89, such talk seemed harmless; besides, very little action was

taken on the part of oppositional women. Islamist women doctors and others in professional positions tried to allay the fears of non-Islamist women, presenting themselves as active and successful women who were not suffering any losses as a result of the formation of the Islamic state. Besides, the replacing of women in these lucrative positions was handled in small, nearly imperceptible increments and was intended to extend over a long period of time.

The Islamists have also made accommodations, giving themselves a "modern" look. Even the word "trend" that was used by Saddig in the mid-1980s suggests something forward-looking, a process which is keeping abreast of contemporary behavior. Again, dialectically, the NIF's attempt to look "modern" or *be* modern has meant reference to institutions we would generally consider secular, although these are done in an "Islamic way," e.g., Islamic banking, Islamic insurance companies, appeal to potential constituencies through the media (e.g., missionary work on TV and televised weddings), and the like.

Such is the "modern" and careful approach of the NIF. Women should work only if they do not have children and only if their income is needed by the family. This means, of course, that working-class women need to work. Islam and *shari'a* make allowances for them. But there are limits. The jobs women have should not threaten the power structure and should be "appropriate," that is, when possible, should be extensions of their domestic labor. The process would be carried out by women themselves, once they realize their rights and duties in Islam, i.e., once they have a raised consciousness about the correct role of women in Islamic societies.

Hasan al-Turabi himself claims that Islam is very democratic, including democratic toward women and labor. Recently he made statements at a Round Table:

The Islamic movement in Sudan chose not to allow women's liberation to be brought about by Westernized liberal elites or communists or whatever. It took the lead itself. . . it evoked religion against custom. . . With respect to the status of women generally in [Sudanese] society, we don't have any more problems. . . In the Islamic movement, I would say that women have played a more important role of late than men. . . Of course, I don't claim that women have achieved parity, for example, in business. . . There is a question whether women will ever be present in equal numbers in all domains of public life. . . but there is no bar to women anywhere, and there is no complex about women being present anywhere.²³

²³ Arthur L. Lowrie, ed., *Islam, Democracy, and the State and the West. A Round Table with Dr. Hasan Turabi* (Tampa: The World and Islam Studies Enterprise, Monograph No. 1, 1993), pp. 46-7.

But there is another set of contradictions so that the great divide between ideology and material conditions and requisites is not totally consistent. I am referring to those jobs in the informal sectors of the economy held by working-class women, e.g., vendors of local brew, prostitutes, and some entertainers, that are under attack as affronts to Islam. Some of these women have been flogged in public, beaten by gangs of men, and jailed. Even working-class women in "respectable" jobs are made to feel the pressure in the workplace, as well as moving to and from work. Harassment by Islamic guardians is common.

For years debates on the woman question were dominated by the secularist Sudanese Women's Union (SCP affiliate). For complex reasons of politics and personnel, it had lost a great deal of influence during the "democratic" era of 1985-1989.²⁴ As is the case in Egypt and in a number of other societies, the debate on women's rights has been co-opted by the activist voices of the Islamists and conservative wings of old sectarian parties—such organizations as *al-Jabha al-Nisā'iyya al-Waṭaniyya* (the National Women's Front or NWF), the women's wing of the *Ikhwan* and NIF, and the women's wing of the Umma Party (led by Sara al-Fadl, Saddig al-Mahdi's wife). The NWF used language such as: helping working women, fighting sex discrimination in employment, extending maternity leave, offering free transportation for women workers, organizing women in the informal sector, and the like, i.e., co-opting the left discourse. But the main goal was expressed in familiar essentialist language: to build an image of the "ideal Muslim woman."²⁵

The pattern for the "woman's voice" was established even earlier, however, in the waning years of Nimieri's regime. A 1980s document issued by the Sudan Socialist Union (the government party) for the Union of Sudanese Women outlined various "fields" for women's activism: family and legal affairs, education, thought and training, media, and health. Most of these are related to the socialization duties of women.

Organizing by these Muslim women was clearly directed toward designing the ideal Islamic woman and family. Goals were to educate women about Islam, "make women aware of their rights according to the Qur'an and Sunna and to tell them about the values of religion . . . to educate her

²⁴ See Hale, "Feminist Method, Process, and Self-Criticism: Interviewing Sudanese Women," in S. Gluck and D. Patai, eds., *Women's Words: The Feminist Practice of Oral History* (New York: Routledge, 1991), pp. 121-36; and my essay, "Transforming Culture or Fostering Second-Hand Consciousness? Women's Front Organizations and Revolutionary Parties—the Sudan Case," in Judith Tucker, ed., *Arab Women* (Bloomington: Indiana University, 1993), pp. 149-74. In the former I analyze my interview with Women's Union Head, Fatma Ahmed Ibrahim; in the latter I critique the relationship of the Sudanese Women's Union and the SCP.

²⁵ Zeinab el-Bakri, Unpublished manuscript, pp. 25-6.

with the values and beliefs of the religion." With the establishment of kindergartens, the "children should be brought up in an Islamic way."²⁶

In the 1980s Islamic welfare work was certainly a dominant function of the women's organizations registered under the Ministry of Social Welfare,²⁷ and virtually all the twenty-some organizations aimed to create nurseries, work on childrearing, health and nutrition, build awareness, and "eradicate bad customs" (e.g., the *zaar*). The Association of Sudanese Women Believers stated as its objectives that they want "the whole of Sudan together in one group as God wishes; [to] teach correct childrearing, Islamic Studies, and patriotism. . . [and to] make people aware of Islam. . ."²⁸ The Charity Union of Worshippers of God aimed "to give importance to Muslim women. . . [and] encourage Islamic instructions."²⁹ The Charity Association of Imam el-Mahdi for Women (Anṣār sect) aimed "To encourage a modern Islamic society and make a link between individual behavior and the behavior of a person in Islam and to encourage Mahdist culture under Islamic culture."³⁰

One of the more active moral welfare groups was the Association of Leading Reformers that militated against illicit unions by performing free mass wedding ceremonies for the poor in the football stadium, *zowag el-kora* (reference to putting all the people in a bowl and marrying them). Because marriage and wedding expenses had become prohibitive for most of the poor, this organizing strategy of *Jumaya Raidat el-Nahda* was effective and spread to other Islamist political parties such as Umma.³¹

Even Islamic economic institutions have been active in creating the ideal Islamic woman and her family. A Development Cooperative Islamic Bank was established in 1983 "to enable women who have training in home economics to purchase their work requirements; the bank strives to establish family production societies."³²

During the end of Nimieri's regime proper social conduct was being monitored, not only in the streets by the moral guardians, but in various government institutions. The Chair of the SSU Women's Union, Nafissa Aḥmed el-Amin, was barred from chairing a session in Khartoum on "Women's Rights under Islam" at the First International Islamic Conference on the Implementation of *shari'a*. A protest had been filed by the

²⁶ Sudan Socialist Union (n.d., 1980?).

²⁷ I obtained this typed registry in July, 1988, from the Ministry of Social Welfare in Khartoum (n.d., probably 1985-1988).

²⁸ Ministry of Social Welfare (n.d.: 5).

²⁹ *Ibid.*

³⁰ *Ibid.*: 4.

³¹ Some of this information was supplied by my research assistants, Amal Abdel Rahman and Sunita Pitamber, who had watched the football stadium mass wedding on television.

³² See *Sudanow* (September, 1985: 14).

Saudi delegation that it was not Islamic to permit a woman to chair a meeting where men were present.³³

Although individual acts of resistance are common, organized resistance is rare. The regime was very repressive from the start, banning the People's Assembly, trade unions, political parties and associations, women's organizations, all non-governmental media, and the like. Opposition to the government is considered very dangerous.³⁴

As I indicated above, there was considerable individual resistance to these attempts to remold Sudanese women to fit an ideal image of the Muslim woman. Although many women of the middle-class with whom I spoke expressed doubt that anything would change in their everyday lives if *shari'a* were implemented, there were outcries in 1988 from very religious working-class women. Nurses and workers from Abu Anja Hospital in Omdurman expressed defiance against attempts to shape their lives through *shari'a*. One very old Arab Muslim said she would "take to the streets again" if *shari'a* were re-implemented. Another, a Muslim woman from the Nuba Mountains, made a no-nonsense, non-elitist, and non-academic statement:

I am just a Muslim. I pray, but I am not as fanatic as the Muslim Brothers. I greet men with my bare hands [Islamist men and women do not shake hands]. I'm not fanatic, but I am religious. . . . I'm religious because I pray and that's all. . . . What they say about the equality of men and women in *shari'a* is false. They [women] are not equal in the eyes of *shari'a*—even if they do the same job their wages are not equal; the way they are viewed is not equal. There is discrimination. . . . I want absolute equality with men. . . . I'm doing the same job, so why not? I am doing my job better than any man and I think that, in general, in Sudan women do their jobs better than men.³⁵

The "secular" voices of the Sudanese Women's Union were dimmed by the banning of the SCP and Union, the former usually flourishing underground, the latter barely able to survive. Nonetheless, even when active, the Union presented no more than a liberal portrait of a (Muslim) woman: practicing Islam in private, being literate, holding a job or participating in an "income-generating project" or something like a sewing

³³ See *Sudanow* (November, 1984: 12).

³⁴ With women at the center, Ellen Gruenbaum gives us a taste of the fear and intimidation that have pervaded Sudan since 1989, in "The Islamic State and Sudanese Women," *MERIP Middle East Report*, No. 179 (1992), pp. 29-32.

³⁵ From a series of interviews with doctors, nurses, and workers at Abu Anja Hospital, carried out June 20, 1988. Because of the repressiveness of the current regime, I have not named anyone in this essay who is still in the country, whose views were not already written or well-known, or who said anything self-incriminating against *shari'a*, Islam, the Islamization process, or particular political parties.

cooperative, supporting the SCP, and shedding such "backward" customs as the *zaar*.³⁶

However, one of my interviews was with a longtime communist activist, herself critical of the Women's Union. Her dissident voice, now relatively quiet for reasons of personal safety and her state of health, railed against the insidious gender resocialization obvious in the national secondary school curriculum by the 1950s. As an educator active in school reform, her testimony pointed to the notion that not only the spirit of Islamism, but its acts, were taking place much earlier. According to this progressive, the influence of the *Ikhwan* on school curriculum was considerable even before independence. But because much of what was being promulgated was directed at the image of women, not much notice was taken, even by the SCP. In a society where males and females attend segregated schools until university, it is easier to manipulate the curriculum for women, molding them to fit Islamic ideals.

Batoul Mukhtar Mohamed Taha, noted legal analyst and Republican activist, wrote a series of provocative newspaper articles in the 1980s, one of them challenging the right of the two NIF women representatives in the People's Assembly to represent all women. Claiming that society needs to value women as human beings, "not as a mere type, the 'Female'," she argued that the two NIF women accept traditionalist assumptions that men are the custodians of women, agree with the marriage of four women to one man, the woman's "house of obedience," and the beating of women, and concede the exclusive and unilateral right of divorce to men.³⁷

A number of progressives, among whom were my close friends and colleagues, dismissed the rise of Islamist sentiment and the impending application of strict *shari'a*, maintaining that nothing would change in the everyday lives of people. This seemed almost a slogan of the SCP at the time, and I was unable to determine if this was public posturing or an actual analysis of the situation.

Other secular and progressive intellectuals such as lawyer Taha Ibrahim, a leading voice in opposition to the implementation of *shari'a* before the 1989 *coup d'état*, took grave exception in 1988 to the notion that nothing would change if the Islamists came to power. His interpretation of the cynicism of Nimieri, Saddig, and Turabi's motivations was that all of the

³⁶ Elsewhere I have offered a critique of the Women's Union in the form of its relationship to the Sudan Communist Party. See my "Transforming Culture or Fostering Second-Hand Consciousness?", pp. 149-74

³⁷ See Taha (*Al-Sahafa* May 16, 1988: 8) The Republicans [formerly Republican Brothers] have spent years in court trying to prove the unconstitutionality of *shari'a*. Written interview with Taha, August 3, 1988.

religious manipulation was to save the Islamic banks, a common thread in my interviews.

Among liberal, middle-class professional women, I found a great deal of self-reassessment in relation to society. Some expressed uncertainties and were clearly affected by the activism of the Islamist women. One told me:

There are elements in society—mainly women—who are creating a revolution—and because it is coming from women considered conservative or “traditional,” it is very confusing to women like me—educated, liberal women.³⁸

Such “fence-walking” attitudes were common in 1988, further opening the door for Islamist perspectives to prevail. NIF ideology about the nature of woman and the ideal role of Muslim women had permeated middle-class urban society from University of Khartoum students, 70% of whom were wearing some form of *hijāb* by 1988, to professional men and women. But the most striking fact of mid-1980s urban Sudanese society was that members of the population who opposed the imposition of *sharīʿa* and the molding of the “ideal Muslim woman” were not offering an alternative invention: e.g., the contemporary Sudanese woman, except in the vague liberal terms of the Women’s Union above. And although replacing one stereotype of “woman” with another has been shown to be ineffectual in the United States, for example, at least a program of presenting a range of alternative images might have been effective.

Image invention was, therefore, co-opted by Islamist voices, especially the voices of politically active women. In the mid-1980s the most visible Islamist woman activist was Suad al-Fatih al-Badawi, one of only two women representatives in the People’s Assembly, and both NIF members. In her statements to the press, she took great effort to be forwarding-looking and open, stating, for example, that, “We [NIF] are not opposed to corrections and changes [in the current *sharīʿa* laws] so long as . . . [they do not] take us back to the English laws.” Moreover,

I do not believe in separatist roles [for men and women] in the construction of the nation. Men and women complete and perfect each other . . . It was an obligation for women [to make] the representation of women *authentic* and *real*. . . Those women who have attained a high level of consciousness which is *progressive* and *untainted* by blind imitation of both the East and the West must not be stingy with their intellectual effort . . . This era is marked by issues of de-

³⁸ Interview in Khartoum, July 14, 1988, with a professional woman with a Ph.D. in Public Administration.

velopment which the *enlightened vanguard* must struggle to solve in a fundamental way.³⁹

The co-optation of progressive language is striking here. The Muslim woman is presented as modern, forward-looking, dutiful, and enlightened—yet moral and authentic. A truly modern Muslim.

But there remained the flip side of the coin, the dark side of the image of devout and dutiful Muslims, the fact of men oppressing women through various patriarchal customs. A strategy had to be worked out whereby Islam could be the *deus ex machina*, a method for rescuing women from oppression. To do that, it would be more effective to demonize some aspect of the population, not necessarily *men*, but a *category* of men.

The Islamist women with whom I talked all agreed that men oppress women, and then all, at some point in the statement, shifted to conflating *men* and *Arabs*. Arabs (meaning “men”) have a low opinion of women, these Islamist women maintained, and cannot be trusted in that they try to give a false idea to women about their rights under *shari‘a*. *Shari‘a* judge Nagwa Kamal Farid commented, “Sudan is still a man’s society. . . the man is the boss.” Wisel al-Mahdi (Turabi’s spouse and Saddig al-Mahdi’s sister), in commenting on a very conservative group (she did not say “Muslim” or “Islamic group”), *Anṣār al-Sunna*, which opposes any public activity by women, said, “They are against women. . . They think a woman’s voice is like women’s breasts showing.” She repeated it in Arabic, “*Ṣawt al-mar’a ‘awra*, a woman’s voice is a private part that must be concealed.”

In a group interview with Wisel al-Mahdi, Hikmat Sid Aḥmed (member of Parliament at the time), and Nagwa Kamal Farid the women engaged in a chorus of abuse toward Sudanese Arab men, reminding me that any man could be a woman’s boss (i.e., your father, brother, even son): “Any man in the street can be your boss,” stated Wisel al-Mahdi.⁴⁰ Nagwa added that, “They [Arab men] do not have good ideas about women.” And Wisel went on to say that “they think women are loose. And they have very bad ideas, like the ideas of *the Arabs before Islam*.” In agreement, Hikmat referred to Sudanese Arab men as *jāhilīn* (ignorant, pagan). In response to the word *jāhilīn*, Wisel commented:

Yes. Because they are *Arabs*, actually. And these instincts have come to them for these last 15,000 years and still it’s there. In North

³⁹ Both quotes are from *Al-Sahāfa* (May 3, 1986: 10, italics mine)

⁴⁰ Interview in Khartoum, July 12, 1988. Nagwa Kamal Farid was interviewed separately as well at her home in Khartoum, July 4, 1988.

Africa, in Saudi Arabia, in *any Arab country*. They have the same things against women. And that is why we are much against them. . . we are against them [Arabs] and we think they are presenting a *false idea about Islam* (emphases mine).

More than any other interviewee (but not exclusively), Wisel al-Mahdi's commentaries had feminist content—defiant statements against the male oppression of women:

They [Arab men] are against women, and that is why *we are much against them*. We know our rights; we have learned the Qur'an and *shari'a*; we know what *shari'a* gives us. . . we think that *women are better human beings* than they think. . . And. . . *we are standing up for our sex*. We are working in the NIF *to praise women* and to make women have a better status and to tell the world that we are as equal as men and are as efficient as men and we are as educated as men and we are as good as men and as great as men (italics mine).

Wisel attempted to speak for all women when she stated that women "in all the other parties feel the same." She asserted that, "We are Muslims *by nature*," and that the NIF is not doing anything different except to give more emphasis to the Islamic nature of society. To her, there is no distinction between politics and religion, nor between public and private life. Women are active in the NIF because of equal rights in *shari'a*, but also because, "We want Islam to be practiced in everyday life, not just inside the house. . . we don't want it to be only in a corner of the life of the family. We want it to be the *core* of life. . . ."

Although the Islamist men I interviewed also seemed to make a distinction between being "Arab" and being "Muslim," there was a certain militancy and defiance in the posture of the Islamist women, especially in their insistence that Arab customs and patriarchy—not Islam—have oppressed them.

However, even Hasan al-Turabi has tried to distance himself from the Arab past with regard to women and other issues. In 1993, he made statements about women at a Round Table:

The Islamic movement in Sudan chose not to allow women's liberation to be brought about by Westernized liberal elites or communists or whatever. It took the lead itself. . . it evoked *religion against custom*. . . With respect to the status of women generally in [Sudanese] society, we don't have any more problems. . . In the Islamic movement, I would say that women have played a more important role of late than men. . . Of course, I don't claim that women have achieved parity, for example, in business. . . There is a question whether women will ever be present in equal numbers in all domains of public

life. . . but there is no bar to women anywhere, and there is no complex about women being present anywhere (emphasis mine).⁴¹

Or, further appealing to women, appeasing Muslim feminist critics, and distancing himself from the (Arab) past, he stated that "Segregation is definitely not part of Islam. . . the *hareem* quarters, this is a development which was totally unknown in the model of Islam, or in the text of Islam; it is unjustified."⁴²

Turabi combined the above with such statements about Sudan and Arab culture as:

. . . the North is not Arab. . . They speak Arabic, but they are not Arabs; they are part of East African people. . . Of course, I assume that when John Garang goes to Africa, he will tell them: "We are Negroes, Africans being persecuted by Arabs" . . . In fact, the Sudanese are Arab in culture. Some of them are probably Arab in descent also, but all of them are colored peoples, unlike the Arabs who are very fair, very different. . . And there is no divide in the Sudan between Arab and African, anywhere.⁴³

Or, his statement that, "The Sudan, on the whole, is probably leaning now more to Africa than to the Arab world. . . ."⁴⁴

It also serves the Islamist cause in Sudan to present the NIF-led movement as populist, non-elitist—which would, as the argument implies, serve women, the working-class, peasants, and marginalized ethnic groups. Turabi has maintained that Sudan's Islamic movement is very democratic: ". . . these movements are essentially grassroots movements; they are populist movements. . . highly democratic."⁴⁵ In a 1992 lecture he presented his version of the history of Islamic movements in Sudan, making a case for the current regime by seeming to distance it and the NIF from prior Islamic/Arab movements.

The Muslim Brotherhood. . . was the typical elitist movement. . . The ideal, of course, is democratic Islam. Islam shuns absolute government, absolute authority, dynastic authority, individual authority.⁴⁶

⁴¹ Lowrie, ed., *Islam, Democracy, and the State and the West*, pp. 46-7

⁴² *Ibid.*, p. 36.

⁴³ *Ibid.*, pp. 66-7.

⁴⁴ *Ibid.*, p. 68.

⁴⁵ *Ibid.*, p. 18. Although Turabi has made this comment and many others about Islam's populism, his spouse, Wisel al-Mahdi, in a July 12, 1988 interview with me extolled the virtue of the speed of *shari'a* law in removing resistance groups, e.g., squatters: "[English common law] takes a long time. I don't want to wait all my life to get my land from somebody who is a squatter on it!"

⁴⁶ *Ibid.*, p. 19.

⁴⁷ *Ibid.*, p. 32.

Turabi cleverly shifted the burden of emancipation onto women and others when he indicated that the liberation of women . . . "cannot be done by decree. Government can give women the right to vote, but women could still socially be denied that right. So you have to work from below [grassroots/populist] and that is the work of social organizations."⁴⁷

Kandiyoti has warned against conflating cultural nationalism and Islam and Arab patriarchy and Islam. In *Women, Islam, and the State*, she wrote: "In the Arab world . . . cultural nationalism and Islam now appear as practically interchangeable terms," and quoted Mernissi's notion that in Morocco "opting for 'Arabness' was convenient in terms of finding a place and identity in the Arab world. . . ." But Kandiyoti cautioned:

Whatever the differing emphases of nationalist movements with respect to the links between Arabism and Islam, the former at the very least co-opted the latter, as is evident in the doctrine of Arab socialism in its Nasserite or Ba'athist versions.⁴⁸

Perhaps Kandiyoti's most succinct statement about the analytical difficulties in contemporary discourses about cultural authenticity, gender, and Islamic political movements was:

. . . a serious weakness in our current analyses stems from a conflation of Islam, as ideology and practice, with patriarchy. . . many of the uniformities we observe with respect to gender may be due to the workings of a generic system of male domination that I [have] characterized as "classic patriarchy" . . . distinct systems of male domination, evident in the operations of different kinship systems, exercise an influence that inflects and modifies the actual practice of Islam as well as ideological constructions of what may be regarded as properly "Islamic."⁴⁹

Wisel al-Mahdi was confident at the time of my interview with her that the Islamists would come to power in Sudan, that they would ban the Permanent Constitution, that *shari'a* would be enforced, and that the plight of women would improve immensely.⁵⁰ After all, it was Arab customs and traditions, not Islam, that had been oppressing women.

⁴⁸ Deniz Kandiyoti, ed., "Introduction," in *Women Islam and the State* (Philadelphia: Temple, 1991), p. 5.

⁴⁹ Deniz Kandiyoti, "Women, Islam, and the State," in Juan Cole, ed., *Comparing Muslim Societies: Knowledge and the State in a World Civilization* (Ann Arbor: University of Michigan, 1992), p. 238.

⁵⁰ The Permanent Constitution was banned as soon as the Islamists came to power in 1989, an Islamic Constitution is still being developed.

⁵¹ Much of the organizing of Islamist women before 1988 was done in social environments, e.g., visiting, funerals, weddings, and the like. Nagwa Kamal Farid, for example, is not a "public person," and, in fact, as a *shari'a* judge has never sat on the bench. But she is an

Other Islamist women expressed similar views, all of them convinced that women would have a higher status and be more respected under *shari'a*. At the same time women would be able to maintain their difference from men, e.g., their emotionality, their sentimental nature, and their "femininity." As Wisel al-Mahdi exclaimed, "We *are* women after all!" Islamists worked on the notion that women could have it both ways: so long as they dress respectably and act appropriately, they could work and have a career, and yet be dutiful wives and mothers, the crux of the family. That such a life was only possible for those who could afford servants was rarely ever mentioned.

Their convictions were contagious, and they managed to influence some liberals and fence-walkers to soften their views of the NIF or to have at least a "wait-and-see" attitude. Those, like the *shari'a* judge, who know the law well, were quietly informing women of their rights under *shari'a*, and trying to convince them to self-educate.⁵¹ It seems to be the case that under *shari'a* the legal and personal/family rights of women are earmarked and underscored. What is not clear is how particular Arab customs will fare in the new society.

As one might expect in a developing Islamic state, there are a number of inconsistencies and paradoxes when one contrasts state requirements for maintaining the gender ideology and labor needs. We can see the same contradictions within the NIF between the availability of human resources and the imperatives of the organizational strategies of such a small group. That is, despite some ideological prohibitions, in a number of ways women are truly the nexus of the NIF. They are among the active organizers in the elementary schools where women constitute the majority of teachers, in neighborhood medical clinics, in NIF nursery schools in the mosques, as consumers/producers, etc. The NIF has strong appeal to women—especially at the universities, as I said above, where at the time of my fieldwork in 1988, some 70% of the students were wearing the *hijāb*.⁵²

Women receive a great deal of praise and attention for the work of socializing the young with Islamic values. The resuscitation of the

important figure, not only because she is the first Sudanese woman *shari'a* judge, but also because she is a member of a large and influential family. Her uncle was once a minister in one of the military regimes. Her opinions on women and *shari'a*, therefore, matter and are influential on other women.

⁵² Interview with Mohamed Osman who was carrying out thesis research on Islamic dress, Anthropology Department, University of Khartoum, summer, 1988. I was informed in 1994 that there is now a reaction to the *hijāb* and that the numbers have declined. I have been unable to verify the information.

complementarity approach to gender is serving the NIF/state in its ability to have a flexible labor pool, i.e., to move women in and out of the workforce and in and out of appropriate and inappropriate jobs in the name of help-mates, but also in the image of the woman as creator of life and nurturer of the society. The NIF can point to the public activity of NIF women in answering the clichéd charge that the NIF will send women back into the homes.

Even if the legal and personal/family rights of women are now spelled out more clearly, it remains to be seen what will happen to the economic conditions of their lives. It seems unlikely that any Islamist group would greatly diminish the numbers of women in working-class or traditional occupations. But that does not preclude tight control over women's access to power and privilege—both private and public. So far it is difficult to know the exact impact on middle-class women. Since this Islamist movement is a movement of the middle-class, one can expect significant changes there.

As of the writing of this essay, the most dynamic component of the state is the NIF. One of its important tasks is the control of human resources by reconstructing the gender ideology. Now economic crises and their solutions can be articulated in religious terms, and women have been positioned to respond appropriately. The prescriptive nature of Islam (and most religions) regarding sexuality, reproduction, the gender division of labor, and the family, are useful in protecting class interests.

Conclusion

The argument that I have proposed is that, currently, for complex gender- and race-related reasons and because of the current militaristic surge toward integration under Islam, there are new distinctions being drawn within the current Islamist movement between "Arab" and "Muslim." As I have just indicated, one of the *de facto* leaders, philosopher/politician Ḥasan al-Turabi, made public statements that construct a fine distinction, as have a number of the Islamist women interviewed for this research.

Field interviews and documents suggest some rationales for the centrifugal/centripetal strategy related to Arab identity and the forms of identity manipulation the current regime is using. Although two attitudes seem clear, i.e., that foregrounding Arab identity hinders north-south integration under Islam (e.g., it is easier to "become" a Muslim than an Arab and the history of Arab slaving in the south can be minimized), and that women are more willing to see themselves as potentially liberated from certain patriarchal Arab customs upon a return to "pure" Islam, this paper has dealt only with the latter.

Another factor in the way that a national identity is being forged is the desire to be accepted by the outside world, especially the Arab/Middle Eastern world, as integral to the "Middle East." That process can be facilitated by Sudanese becoming participants, even leaders (i.e., Ḥasan al-Turabi), in the region's *Islamic* movements; whereas, being embraced as "authentically Arab" had always been problematic.

It is a tightrope that a poor country like Sudan walks: needing Arab money while needing to appease its own diverse population with its gender, race, and ethnic demands. And it is a strange irony in Middle Eastern studies that so many of us have privileged Islam whereas so many Muslims have privileged Arab culture, especially as it relates to gender arrangements. In this brief essay I have suggested that multiple epistemological and ideological processes of deconstruction, disentanglement, dissociation and their combinations are now in motion .

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GENDER AND SUPPORT FOR ISLAMIST MOVEMENTS: EVIDENCE FROM EGYPT, KUWAIT AND PALESTINE

This article explores the determinants of public support for organized Islamic groups among women and men using public opinion data from Egypt, Kuwait and Palestine. Specifically, we examine both the within-system differences between men and women in these three societies and the between-system differences among Kuwaiti, Egyptian and Palestinian supporters of Islamist movements. Our findings show that while there are few aggregate differences between men and women among any of the three populations surveyed, the profiles of supporters differ significantly as a function of both gender and country.

Several interrelated questions present themselves for analysis. First, what is the relative importance of religiosity and considerations of culture in producing support for Islamist movements, and what, alternatively, is the degree to which such support is a response to political and economic grievances? Next, what is the explanatory power of factors relating to personal status, including gender, age, and education? Finally, to what extent do attitudes toward issues of gender affect levels of support for Islamic political groups? The analysis to follow aspires to shed light on each of these questions, and it will compare and contrast the answers found in each of the three societies for which survey data are available.

Prior to presenting and analyzing the survey data, we offer a brief overview of previous research on the growth of Islamist movements, first in general and thereafter as it relates to the circumstances of women. While this overview is a necessary point of departure for the present study, very little of the research to be reviewed has been carried out at the individual level of analysis. Most studies have dealt either with particular Islamist movements and their leaders or with the overall political and social environment within which these movements operate. The present inquiry, by contrast, focuses on the attitudes of individual citizens, not only in the aggregate but also with emphasis on the nature and determinants of attitudinal differences among ordinary men and women. Our investigation is nonetheless set against the background of a growing body of scholarly literature on Islamist movements. Some of our findings are consistent with this literature and some involve important deviations from the conclusions of previous research.

Origins of Islamist Movements

The literature on political Islam identifies several factors contributing to the growing importance of Islamist groups and movements during the last quarter century. These factors can be categorized as political, economic, sociocultural, and external.¹ It is important to note that these categories are not mutually exclusive.

Politically, the countries of the Arab Middle East have undergone vast changes in the last fifty years. The experience of colonialism produced nationalist movements that gained power during the 1950s and 1960s. These movements, and the states they later formed, in almost all cases advocated a model of modernization based on industrialization and development along Western lines. In many instances there was also an emphasis on secularism in public law and public policy, especially in such areas as education, work, and the status of women. The push toward modernization and secularism was further abetted by the Arab-Israeli war of 1947-48, in which monarchies and other traditional regimes were discredited by their defeat at the hands of the new Jewish state.

Nationalist leaders made sweeping promises and raised high hopes as they assumed power, and for a decade or so many performed reasonably well. In countries like Egypt, Tunisia, Algeria, Syria and Iraq, although in different ways, there were important gains in education, industrialization, agriculture, and, in most cases, women's rights. Many nationalist regimes also constructed strong political machines and were effective in carrying out programs of political mobilization.

By the late 1960s and early 1970s, however, the shortcomings of these nationalist governments were more visible than their accomplishments to many of the citizens they ruled. Most of these regimes had turned out to be either corrupt, authoritarian, or both, creating a climate of intolerance in which dissent was suppressed, sometimes brutally, and many ordinary men and women increasingly felt frustrated and marginalized. The result, as expressed by one analyst, was "widespread disillusion with the national liberation model" of government,² which in turn, as reported in an important early study, acted "as a trigger to the emergence, appear-

¹ Valentine M. Moghadam, "Introduction and Overview Gender Dynamics of Nationalism, Revolution, and Islamization." In Valentine M. Moghadam, ed. *Gender and National Identity. Women and Politics in Muslim Societies* (London: Zed, 1994), p. 8.

² *Ibid.*, p. 8.

ance, or strengthening of Islamic groups."³ Thus, for example, an investigation in Tunisia described a "revival of Islam" during the 1970s, noting that in response to mounting social discontent and political repression there emerged a "parallel [Islamist] society with its own laws and rules."⁴

The economic shortcomings of nationalist and secular Arab regimes were as pronounced as their political inadequacies. Despite some early gains, economic growth and development fell far short of expectations in almost all cases, and unemployment and underemployment were particularly serious problems by the 1970s, especially for the young. The latter situation was the result not only of governmental failures but of rapid population growth, which sent increasing numbers of young people into the labor force each year.

Except in the few countries with significant resources from petroleum exports, the combination of poor economic performance and rapid population growth created a situation which contributed to the growth of Islamic political movements. Among the urban poor, legions of young men, unable to find regular employment, spent most days on street corners or in coffee houses, becoming ever more disillusioned and embittered.⁵ In present-day Algeria, interestingly, they are sometimes called "homeboys" (*houmistes*), boys from the neighborhood, or "wall boys," (*hittistes*), unemployed youth who have nothing to do and so "hang out," leaning against the walls that line many city streets.⁶ In Egypt, Syria, and the Maghreb, these young men joined students and others in anti-government riots during the late 1970s and early 1980s.

The circumstances of better-educated young people were also increasing unsatisfactory. Many of those educated after independence could not find jobs in the stagnant private sector and were accordingly dependent on the government for employment. The swelling ranks of the state bureaucracy put further strain on the economy, creating a vicious circle that was antithetical to economic growth. In addition, this situation left many well-educated individuals seriously underemployed, increasing their personal frustration and anger. Better-educated young men and women who are either unemployed or underemployed have thus been another source of support for Islamist movements,⁷ which accordingly have found

³ Ali E. Hillal Dessouki, "The Islamic Resurgence: Sources, Dynamics, and Implications." In Ali E. Hillal Dessouki, ed. *Islamic Resurgence in the Arab World* (New York: Praeger, 1982), p. 25.

⁴ Mark Tessler, "Political Change and the Islamic Revival in Tunisia." *The Maghreb Review* 5 (1980): 8-19.

⁵ Mark Tessler, "The Alienation of Urban Youth." In I. William Zartman and Mark Habeeb, eds., *State and Society in Contemporary North Africa* (Boulder, Colorado: Westview Press, 1993).

⁶ Kenneth Brown, "Lost in Algiers," *Mediterraneans* 4 (Summer 1993): 8-18.

⁷ Olivier Roy, *The Failure of Political Islam* (Cambridge: Harvard University Press, 1994).

high schools and universities to be fertile fields for recruitment in Egypt,⁸ Tunisia,⁹ and elsewhere. Indeed, by the late 1970s, Muslim groups were not only active but had in most cases displaced leftist organizations as the primary vehicles for political activity on many high school and university campuses.

Finally, these economic complaints have been reinforced by a large and growing gap between rich and poor, meaning that the burdens of underdevelopment are not shared equitably and that, despite economic difficulties, there are islands of affluence and privilege in most Arab states. A related complaint is that elite membership is determined in most instances not by ability, dedication, or service to society, but rather by personal and political connections. Resentment of those who benefit from this situation, and of the regimes that are believed to tolerate or even encourage it, is an important additional factor producing support for Islamist movements that present themselves as opponents of the status quo.¹⁰

These political and economic problems were exacerbated by rapid sociocultural change. Rural-urban migration occurred at a pace far exceeding the absorptive capacity of cities, creating not only shanty towns but anomie and alienation as well.¹¹ Many of the new urban residents were exposed to the proliferation of material goods, only to have their desires frustrated by unemployment and the lack of opportunities for advancement.¹²

This situation, as well as rapid social change more generally, created another opportunity for Islamist movements, who appealed to the frustrated social classes by emphasizing familiar religious symbols. Ironically, perhaps, the state itself often gave legitimacy to such activity, seeking to win popular support by proclaiming its own attachment to Islamic values. In addition, in Egypt and a number of other countries, particularly during the 1970s, the regime often encouraged religious movements in order to balance a perceived challenge from the political left. Only later did governments recognize that Islamist movements posed an even greater challenge, but by then it was often too late to control the most radical Muslim groups.¹³

⁸ Guillaín Denoeux, "Religious Networks and Urban Unrest: Lessons from Iranian and Egyptian Experiences." In Kay B. Warren, ed., *The Violence Within. Cultural and Political Opposition in Divided Nations* (Boulder, Colorado: Westview Press, 1993).

⁹ Elbaki Hermassi, "La société tunisienne au miroir Islamiste." *Maghreb-Machrek* 103 (1984): 39-56.

¹⁰ Mark Tessler, "Anger and Governance in the Arab World: Lessons from the Maghrib and Implications for the West." *The Jerusalem Journal of International Relations* 13 (1991): 7-33.

¹¹ Hallam Barakat, *The Arab World: Society, Culture, and State* (Berkeley: University of California Press, 1993), p. 170.

¹² Roy, pp. 3-4.

¹³ Margot Badrān, "Competing Agenda. Feminists, Islam, and the State in Nineteenth- and Twentieth-Century Egypt." In Deniz Kandiyoti, ed. *Women, Islam, and the State* (London: MacMillan, 1991), p. 222.

Adding to these domestic considerations was the influence of significant external developments. The Arab-Israeli war of June 1967 was particularly important. With revolutionary regimes in Egypt and Syria defeated even more decisively than had been their feudalistic predecessors in 1948, there was a decline in the influence and prestige of the secular models of development by which these states had been guided. Correspondingly, there was suddenly a new credibility to the Islamist argument that progress could be achieved only if the Arabs were guided by an indigenous political formula, namely that provided by Islam. Calling for governance based on Islamic law, Muslim ideologues proclaimed to the defeated Arabs that Islam "could do what no imported doctrine could hope to do – mobilize the believers, instill discipline, and inspire people to make sacrifices and, if necessary, to die."¹⁴

Another important external factor was the rise of OPEC and the accumulation during the 1970s of huge revenue surpluses by Saudi Arabia and other petroleum-exporting states of the Arab Gulf. These conservative regimes subsequently devoted substantial sums to religious enterprises throughout the Arab world. They provided funds for the construction of religious schools and mosques, and also for Islamic cultural and political organizations.¹⁵

Finally, the Iranian revolution of 1979 was of critical importance. On the one hand, Iran, too, used some of its considerable wealth from petroleum exports to support Islamic movements in other countries. In addition, however, the Islamic regime in revolutionary Iran supported anti-government Muslim groups opposed to the status quo in a number of Arab states, providing assistance that sometimes included military equipment and personnel. Moreover, beyond the practical significance of this aid, the Iranian revolution was itself of tremendous symbolic importance. Reversing the experience of the 1967 war, in which the small Jewish state had defeated the many Arab armies ranged against it, the Iranian opposition had, under the banner of Islam, succeeded in ousting a government which possessed enormous military power and was actively supported by the West.

Islamist Movements and Women

There is a need to consider the support of substantial numbers of women for Islamist movements. Such support is an enigma to some Western observers, since it would appear that many of these movements seek

¹⁴ Fouad Ajami, *The Arab Predicament: Arab Political Thought and Practice Since 1967* (Cambridge: Cambridge University Press, 1981), p. 52.

¹⁵ Moghadam, p. 8.

to restrict women's political, economic, and social choices. In fact, however, as will be reported below, the present study does not find a significant difference between the proportion of women and men supporting these movements in the three countries examined. Clearly, therefore, many Muslim women must believe that Islamist movements offer them something in return for their support.

To begin, it must be emphasized that not all Muslim groups have the same views about women. All of these groups are admittedly hostile to contemporary notions of women's emancipation. Indeed, almost all strongly advocate Muslim dress for women, oppose any contact between the sexes with the potential to lead to intimacy outside of marriage, and believe that women's roles should be confined to those of wife and mother. At most, a married woman should work outside the home only if this does not interfere with her primary obligation, which is to care for her husband and to bear and raise Muslim children.

At the same time, at least some Islamist groups, including the large and mainstream Muslim Brotherhood, stress the rights as well as the obligations of women. The Brotherhood and many other Muslim groups encourage education for women, for example, even at the highest level. Indeed, the founder of the Brotherhood in Egypt, Ḥasan al-Bannā, favored women's participation in public life and established private schools for the education of women in the 1930s. Some Muslim groups also concede that men have neglected women's rights and been excessive in imposing obligations, although they add that this is the result of the overall corruption and spiritual emptiness of the present-day social order.¹⁶

Reflecting this belief that women should be politically conscious and socially active, female supporters of the Muslim Brotherhood have formed their own organizations in a number of countries. Commonly known as the Muslim Sisters, these groups are particularly active on university campuses in Egypt, Kuwait, and many other Arab and Muslim countries, and they are often heavily involved in efforts to mobilize student opinion on behalf of the Brotherhood or other Islamic movements. An important model for such Islamic women's organizations is the Society of Muslim Women that was formed in Egypt in the 1950s. The society undertook charitable work in a number of areas. It also carried out underground political work on behalf of the Muslim Brotherhood, especially after the organization was declared illegal.¹⁷

¹⁶ Saad Eddin Ibrahim, "Islamic Militancy as Social Movement: The Case of Two Groups in Egypt." In Ali E. Hillal Dessouki, ed. *Islamic Resurgence in the Arab World* (New York: Praeger, 1982), p. 122.

¹⁷ Gilles Kepel, *Muslim Extremism in Egypt* (Berkeley: University of California Press, 1984), p. 29.

These examples make it clear that many associated with the Muslim Brotherhood and other Muslim groups do not believe that Islam desires women to be ignorant or uninvolved in public life. On the contrary, the image of some Western observers notwithstanding, most Islamist movements believe that women should be politically conscious, and many proclaim in this connection that the battle for a just society is not one in which only men are warriors. Consistent with this perspective, even as they assert that the roles to be played by men and women are not identical, Islamists often argue passionately that Islam, properly understood, is a force for the advancement of women and for equality between the sexes.

Turning from the appeal and receptivity of Islamist movements to the motivations of individuals, it appears that women have the same concerns about the political and economic status quo, and the same desire for cultural continuity in the midst of rapid social change, as do men. Thus, for example, women recruited into Islamist movements tend to have the same socioeconomic status as their male counterparts. Many are the daughters of rural-urban migrants, and many have pursued their education only to find the prospects bleak for employment upon graduation. Islamist movements offer these women a chance to participate, seemingly meaningfully, in the shaping of an agenda both for their own lives and for the larger social and political order.¹⁸

Additionally, despite their rhetoric of domesticity and conservatism, Islamist movements often provide women with a vehicle by which to assert their autonomy and build social networks outside the home.¹⁹

Moreover, these networks are unlikely to threaten either male family members or a society based on Islam. In this way, women with ties to Islamist movements may actually gain influence within the family and society, to the extent that their religious "credentials" force parents, male siblings, and other men to give greater weight to their views. For at least some women, support for the practice of veiling can also be understood in this context. While non-Islamist women often see the practice as a form of social control, many Islamist women regard this duty as an assertion of their identity which enhances their autonomy and is thus both liberating and empowering.²⁰

This assessment leads to the hypothesis that women as well as men will be well represented among the supporters of Islamist movements. It also suggests that there are likely to be significant similarities between the

¹⁸ Deniz Kandiyoti, "Introduction," in Deniz Kandiyoti, ed., *Women, Islam, and the State* (London: MacMillan, 1991), p. 18.

¹⁹ Yesim Arat, "Islamic Fundamentalism and Women in Turkey," *Muslim World* 80, (1990): p. 21.

²⁰ Moghadam, pp. 9-10; Arat, p. 22.

men and women who support such movements. There should be considerable comparability with respect to age, education and socioeconomic status, for example, and also with respect to alienation from the state and levels of political consciousness and concern.

Data Base and Research Design

The data to be presented and analyzed in the present study are from public opinion surveys carried out in Egypt, Kuwait, and Palestine. The Egyptian and Kuwaiti data were collected by Dr. Jamal S. Al-Suwaidi, professor of political science at UAE University and director of the Emirates Center for Strategic Studies and Research in Abu Dhabi. The same interview schedule was used in Egypt and Kuwait. The Palestinian data were collected by the Center for Palestine Research and Studies in Nablus, under the supervision of its director, Dr. Khalil Shikaki, and the head of its polling unit, Dr. Nadir Said. Surveys in all three countries included questions about support for Islamic political movements, as well as questions about the backgrounds and attitudes of respondents.

The Egyptian and Kuwaiti surveys were carried out in mid-1988, based on stratified samples of adults in Cairo and Kuwait City. All respondents are Sunni Muslims; Egyptian Christians and Kuwaiti Shī'ites were not included. Each sample includes an approximately equal proportion of men and women, and each is also heterogeneous and generally representative with respect to age, education, socioeconomic status, and place of residence. As a result, the 293 respondents interviewed in Egypt and the 300 respondents interviewed in Kuwait are broadly representative of the adult, urban, Sunni Muslim populations from which they are drawn. Information pertaining to sampling and measurement, including the training of research assistants who administered the interview schedule and procedures for assessing measurement validity and reliability, has been reported in detail in previous publications.²¹

The Palestinian survey was carried out in April 1994, based on an area probability sample of 2,006 West Bank and Gaza residents. CPRS has conducted polls every month or two since the signing of the September 1993 agreement between the PLO and Israel. Limited in substantive scope but increasingly accurate with respect to sampling and measurement procedures, CPRS polls have a modest urban bias but are otherwise highly representative. Christians as well as Muslims are included among respondents, but the former constitute less than 4 percent of the sample and, as

²¹ Jamal Sanad and Mark Tessler, "Women and Religion in a Modern Islamic Society: The Case of Kuwait." In Emile Sahliyah, ed. *Religious Resurgences and Politics in the Contemporary World* (Syracuse: State University of New York Press, 1990); Tessler, 1995.

confirmed by subsequent analysis, findings pertinent to the present study are the same whether or not they are removed from the data base. Data from the CPRS poll of April 1994, the eighth it had conducted, have been selected for the present investigation because this poll gave special attention to issues pertaining to women.²²

The data from these three samples provide a strong foundation for examining determinants of support for Islamist movements in the Arab world, both in general and with respect to considerations of gender. First, as noted, all three samples are highly representative, at least of the urban population, and all accordingly possess male and female respondents in almost equal proportions.

A second strength of the data base constructed for the present study is the potential to shed light on trends that apply beyond Egypt, Kuwait, and Palestine. While no single study can be authoritative, a very considerable portion of the variance that exists among Sunni Muslim Arabs is encompassed by the populations from which samples have been drawn. For example, the characteristics and circumstances of the population of Egypt are in at least some respects analogous to those in Tunisia, Algeria, Jordan and Morocco. In each of these countries, as well as Egypt, levels of economic development are low and the population faces serious economic difficulties, including inadequacies of employment, housing, and education. Due to rapid population growth and a continuing exodus from the countryside, these problems are particularly severe among the young and in urban areas. There are also similarities in the political circumstances of these countries. All are (or were) governed by regimes that tolerate a measure of political openness and competition, even as they also tolerate significant corruption and a political class with privileged access to state resources.

Similarly, the situation of Kuwait's population is broadly comparable to that of Arabs in the other states and sheikhdoms of the Persian Gulf. There is a high level of affluence, reflecting the juxtaposition of a small population and great wealth from petroleum exports. There is also a conservative social environment, associated with the historic absence of large and cosmopolitan urban centers. Finally, there is a near-total absence of democratic political forms. Political life is monarchical in character, marked by the dominance of a single family and the corresponding absence of political parties.

Palestinians, being stateless, are probably less typical of other Arab communities. Yet the sample drawn in West Bank and Gaza may shed

²² Khalil Shikaki, "Reports of Public Opinion Surveys Conducted in the West Bank and Gaza" (Nablus, West Bank: Center for Palestine Research and Studies, 1994).

light on the attitudes of Palestinians elsewhere, and also, perhaps, on the inclinations of occupied and stateless populations more broadly. In addition, the situation in the West Bank and Gaza since the establishment of the Palestine National Authority has in some ways begun to resemble that of Egypt and other Arab republics. There are serious economic problems, and political life is marked by an important degree of openness and competition, even as corruption and authoritarianism are also prominent among patterns of governance.

A third important strength of the present study derives from the comparative analysis that is made possible by the cross-national data base. To the extent that the nature and determinants of attitudes are dissimilar among two or all three of the samples, these variations may be attributed, at least in part, to any aggregate, system-level characteristics that differentiate among the populations from which samples have been drawn, such as level of affluence or degree of political openness. In this way, information will be gained about the conditions under which particular attitudes and attitudinal determinants are salient. Alternatively, if identical or similar patterns are found among the three samples, it will be possible to conclude that system-level attributes are irrelevant in these instances, and there will accordingly be greater confidence in their generalizability across different populations within the Arab and Islamic world.

Findings and Analysis

A number of items in the survey instrument employed in Egypt and Kuwait dealt with attitudes toward Islamist movements. A statistical technique known as factor analysis identified the most reliable and valid of these items,²³ and from these the following item was selected for the present analysis: "Do you support current organized Islamic movements?" In the Palestinian survey, which asked fewer questions and was more narrow in scope, attitudes toward Islamist movements were gauged by an item asking about partisan preferences. Specifically, respondents were asked to identify the party whose candidates they would be most likely to support when elections are held in West Bank and Gaza, and they were then classified according to whether they chose candidates from HAMAS or Islamic Jihād, rather than those from a nationalist, leftist or other party, including independents.

As noted earlier, there is not a large or significant difference between the proportion of women and men supporting Islamist movements in the three countries examined. Findings are presented in Table 1, which shows

²³ Sanad and Tessler; Tessler 1995.

that men are consistently more likely to express support for political Islam but that these gender-linked differences are of only limited magnitude. The pattern is similar among Egyptians, Kuwaitis, and Palestinians.

Table 1. Levels of Support for Islamist Movements Among Female and Male Respondents from Egypt, Kuwait and Palestine

		Female	Male
Egypt:	Supports	11%	14%
	Somewhat Supports	25%	30%
	Uncertain	9%	7%
	Does Not Support	55%	49%
		100%	100%
Kuwait:	Supports	13%	16%
	Somewhat Supports	32%	38%
	Uncertain	18%	11%
	Does Not Support	37%	35%
		100%	100%
Palestine:	Supports	15%	17%
	Does Not Support	85%	83%
		100%	100%

Contingency table analysis has been employed to examine the demographic attributes and also the attitudes associated with support for Islamist movements. The specific attributes and attitudes examined are referred to as "independent variables," with degree of support for political Islam being the "dependent variable." The relationships between independent and dependent variables are explored separately for men and women from each country, thus permitting a comparison of the explanatory utility of each independent variable across six respondent categories based on gender and nationality. The resultant tables and associated values of chi square, a common non-parametric test of statistical significance, are presented in an appendix.

The data from Egypt and Kuwait permit examination of the following independent variables: age, education, level of personal religiosity, level of personal political involvement, attitudes toward the status of women, and attitudes about whether the government tries to meet the needs of ordinary citizens. The data from Palestine are more limited, given the restricted focus of the survey instrument. Accordingly, the independent variables that may be examined using Palestinian data are age, education, level of personal political involvement, and attitudes toward the status of women. There were no items pertaining to either level of personal religiosity or attitudes about the government's commitment to helping ordinary citizens.

The first independent variable examined is age. While some scholarly literature suggests that Islamists have greater appeal among younger individuals, this is the case only among Egyptian men. There is an inverse and statistically significant relationship between age and expressed support for political Islam among the male respondents from Egypt. By contrast, the age distribution of those who do and do not support Islamist movements is generally similar, and in no case large enough to be statistically significant, for all five of the other respondent categories based on gender and nationality.

The next independent variable, education, also displays explanatory power for only one of the respondent categories: Kuwaiti men. Some studies call attention to the effectiveness of Islamist appeals among the poorly educated, while others stress their success among the better educated, particularly on university campuses. Findings from the present study suggest that each of these propositions in most cases tells only part of the story. As with age, the educational levels of those who do and do not support political Islam are generally similar, and in no instance are differences statistically significant, for five of the six respondent categories based on gender and nationality. The one exception is male respondents in Kuwait, among whom expressed support for Islamist movements is associated with higher levels of education, and particularly with the possession of a university degree.

The third independent variable, level of religiosity, can be examined only for the Egyptian and Kuwaiti samples since there were no questions about personal religiosity in the Palestinian survey. The interview schedule administered in Egypt and Kuwait contained a large number of items dealing with personal observance and piety, and, as with the measure of the dependent variable, factor analysis was used to identify the most reliable and valid of these items. The item selected for the present study, which factor analysis identified as the best overall measure, asked respondents, "How often do you refer to religious teachings when making important decisions concerning your life?"

While it might be assumed that support for Islamist movements is always more pronounced among those who are more religious, this is in fact the case in only two of the four respondent categories. Specifically, among female respondents in Egypt and among male respondents in Kuwait, those who express support for political Islam are more religious than those who do not. This is not the case among either male respondents in Egypt or female respondents in Kuwait, however. In both of the latter instances, there is virtually no difference in the religiosity levels of those who do and do not support Islamist movements.

Level of political involvement is the fourth independent variable to be examined. This is measured in the Egyptian and Kuwaiti samples by an item asking respondents whether or not they consider themselves to be active in politics. As with other items, the reliability and validity of this measure has been confirmed by factor analysis. In the Palestinian survey, where there were fewer items from which to choose, the item selected asks respondents whether or not they plan to vote when elections are held in the West Bank and Gaza. This measure may not be entirely valid, however, since an intention not to vote may reflect protest sentiments as well as a lack of interest in politics, and results should accordingly be interpreted with caution.

It seems likely that support for Islamist movements is associated with high levels of political involvement, and this is in fact the case for men in Egypt and women in Kuwait. Among both of these respondent categories, those who consider themselves active in politics are more likely to express support for political Islam. This is not the case for men in Kuwait or women in Egypt, however, where levels of support in both instances are comparable among those who do and those who do not rate themselves as politically active. Finally, in Palestine, there is an inverse relationship between level of political involvement and support for Islamist movements among both men and women. Palestinian respondents who are more politically involved are less likely to express a preference for either HAMAS or Islamic Jihād than are those who report lower levels of political involvement.

The fifth independent variable examined concerns attitudes toward issues of gender, and specifically whether women should have the same rights and opportunities as men. The survey in Egypt and Kuwait once again used factor analysis to select and evaluate items, with the item chosen for the present study asking respondents either to agree or to disagree with the following statement: "Women should be required to cease work after marriage in order to devote full-time to their homes and families." In Palestine, the item selected asked respondents whether or not they would be willing to vote for a female candidate who ran for election to the Palestinian Council.

As discussed with respect to gender itself, popular Western perceptions lead to an expectation that support for women's rights and opportunities are inversely associated with support for Islamist movements. This is the case for only two of the respondent categories, however: men and women in Palestine. In these instances, respondents who favor more rights and opportunities for women are less likely to express support for Islamist movements than are respondents who oppose more rights and opportunities for women. For the other categories, the independent variable bears no significant relationship to attitudes toward political Islam. Among women and men in both Egypt and Kuwait, levels of support for Islamist movements are comparable among those who agree and those who disagree that women should have more rights and opportunities.

The final independent variable, which has been examined only in the Egyptian and Kuwaiti cases, deals with assessments of the government's commitment to helping ordinary citizens. The survey item employed in the present study asks respondents whether they agree or disagree that the government usually ignores the needs of the people. This item was again selected through the use of factor analysis, which shows it to be one of several reliable and valid items involving an evaluation of the regime.

It was expected that those with an unfavorable evaluation of the government would be more likely than others to support Islamist movements, and this is in fact the case among women in Egypt, men in Egypt, and women in Kuwait. Moreover, among men in Kuwait the difference is in the anticipated direction and falls just short of statistical significance.

Figure 1 presents a summary of these findings, identifying those independent variables that bear a strong and significant relationship to support for Islamist movements for each of the six respondent categories. It thus provides a listing of those personal attributes and attitudes that are associated with support for political Islam.

Not all respondents with a favorable predisposition toward Islamist movements possess these characteristics, of course. Indeed, to the extent that some independent variables are not related at all to support for political Islam in some respondent categories, those who support Islamist movements in these instances possess exactly the same attributes and hold exactly the same attitudes as those who do not support Muslim political movements. Nevertheless, considerations of gender and nationality define circumstances in which supporters of political Islam *are* drawn to a disproportionate degree from the ranks of individuals with certain characteristics. Figure 1 identifies these characteristics and the circumstances that determine their salience, thereby offering a set of partial demographic profiles of the men and women most likely to support Islamist movements.

Figure 1. Attributes and Attitudes Associated with Support for Islamist Movements Among Female and Male Respondents from Egypt, Kuwait and Palestine

	<u>Female</u>	<u>Male</u>
<u>Egypt:</u>	more religious negative view of the government	younger more politically involved negative view of the government
<u>Kuwait:</u>	more politically involved negative view of the government	better educated more religious
<u>Palestine:</u>	less politically involved less supportive of women's rights	less politically involved less supportive of women's rights

Conclusions

Although the main preoccupation of the present study is with findings related to gender, a few brief comments about support for Islamist movements more generally may also be offered. For several of the respondent categories, particularly for men in Egypt but also for men in Kuwait, the data present a useful partial profile of the attributes which are present to a disproportionate degree among individuals with a favorable predisposition toward political Islam. Among Egyptian men, these include younger age, higher levels of political activity, and a negative view of the government. Among Kuwaiti men, these include higher levels of education and greater religiosity.

These findings among men in Egypt and Kuwait demonstrate that there is more than one path leading to support for political Islam, and that the salience of any given path depends, not surprisingly, on the broader political, economic, and sociocultural environment. In Egypt, where economic problems are paramount and the government is held to be at least partly responsible, anti-regime Islamism receives considerable support from younger men, whose future is presumably less certain, from those who as often as not have lower levels of personal religiosity, from those who consider themselves active in politics, and from those with a less favorable view of the government. In Kuwait, by contrast, a wealthy society whose culture is more traditional and conservative, support for politics under the banner of Islam comes more frequently from well-educated men who are more pious and personally involved in their religion. It appears, in other

words, that in Egypt Islamist movements appeal to a disproportionate degree to men whose grievances are in the realm of political economy, whereas in Kuwait Islamism appeals most often to those whose concerns are religious and spiritual.

Turning to considerations of gender, four sets of observations may be offered based on the available evidence. First, as previously noted, women are no less likely than men to express support for Islamist movements. This is the case in all three of the countries examined.

Second, those women who express support for Islamist movements are not drawn disproportionately from any particular sector of society. For example, age and education are not associated with support for political Islam among women from any of the countries examined. Thus, although a few limited conclusions may be drawn about the attitudes that are present to a disproportionate degree among women with an Islamist orientation, the more important finding is that women with a positive predisposition toward political Islam are for the most part similar to those without this predisposition. Put differently, those women in Egypt, Kuwait, and Palestine who support Islamist movements are a heterogeneous group, drawn from diverse backgrounds and possessing a broad range of attributes and attitudes.

Third, findings about women in Kuwait suggest an anti-establishment Islamist orientation which is similar to that of men in Egypt and contrasts with the more religious and spiritual perspective of men in Kuwait. This is probably explained by the fact that Kuwaiti women do not enjoy the same political rights as Kuwaiti men, and are thus attracted to political Islam for reasons related to protest rather than religious fulfillment. So far as issues of gender are concerned, this finding provides evidence that the attitudes of women are shaped by the same political, economic and sociocultural circumstances as those of men.

Fourth, support for political Islam is not necessarily associated with attitudes about the status of women. This is the case in some instances, including Palestinians of both sexes. But this is not the case for the other respondent categories. Thus, there is no inevitability about the connection between attitudes toward political Islam and attitudes toward women, meaning that support for Islamist organizations does not necessarily come from those who hold conservative views about the status of women. This is the case even among men, since Egyptian and Kuwaiti men who support Islamist movements do not display more conservative attitudes about issues related to gender.

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*Appendix: Levels of Support for Islamist Movements By
Selected Attributes and Attitudes Among Female and Male
Respondents from Egypt, Kuwait and Palestine*

1. Age

<u>Egyptian Women</u>	<u>29 and Under</u>	<u>30-39</u>	<u>40 and Over</u>	<u>Total</u>
Supports or Somewhat Supports	68%	26%	6%	51
Uncertain or Does not Support	52%	35%	13%	88

chi square = 3.85; $p > .05$

<u>Egyptian Men</u>	<u>29 and Under</u>	<u>30-39</u>	<u>40 and Over</u>	<u>Total</u>
Supports or Somewhat Supports	64%	24%	12%	66
Uncertain or Does not Support	43%	39%	18%	84

chi square = 6.42; $p < .05$

<u>Kuwaiti Women</u>	<u>29 and Under</u>	<u>30-39</u>	<u>40 and Over</u>	<u>Total</u>
Supports or Somewhat Supports	79%	20%	1%	70
Uncertain or Does not Support	74%	26%	0%	84

chi square = 1.94; $p > .05$

(age - continued)

<u>Kuwaiti Men</u>	29 and <u>Under</u>	<u>30-39</u>	40 and <u>Over</u>	<u>Total</u>
Supports or Somewhat Supports	58%	34%	9%	80
Uncertain or Does not Support	59%	27%	14%	63

chi square = 1.65; p > .05

<u>Palestinian Women</u>	31 and <u>Under</u>	<u>32-45</u>	46 and <u>Over</u>	<u>Total</u>
Supports or Somewhat Supports	70%	20%	10%	125
Uncertain or Does not Support	68%	22%	10%	552

chi square = .41; p > .05

<u>Palestinian Men</u>	31 and <u>Under</u>	<u>32-45</u>	46 and <u>Over</u>	<u>Total</u>
Supports or Somewhat Supports	52%	38%	10%	232
Uncertain or Does not Support	58%	30%	11%	929

chi square = 4.50; p > .05

2. Education

<u>Egyptian Women</u>	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
Supports or Somewhat Supports	18%	31%	18%	33%	51
Uncertain or Does not Support	25%	28%	17%	30%	88

chi square = 4.95; $p > .05$

<u>Egyptian Men</u>	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
Supports or Somewhat Supports	27%	27%	17%	29%	66
Uncertain or Does not Support	27%	23%	16%	34%	84

chi square = 5.84; $p > .05$

<u>Kuwaiti Women</u>	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
Supports or Somewhat Supports	7%	28%	35%	30%	69
Uncertain or Does not Support	9%	17%	42%	32%	83

chi square = 3.41; $p > .05$

(education - continued)

	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
<u>Kuwaiti Men</u>					
Supports or Somewhat Supports	16%	30%	14%	40%	80
Uncertain or Does not Support	19%	42%	17%	22%	84

 chi square = 10.77; $p < .05$

	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
<u>Palestinian Women</u>					
Supports or Somewhat Supports	37%	28%	21%	14%	128
Uncertain or Does not Support	28%	34%	21%	17%	564

 chi square = 4.79; $p > .05$

	Intermediate School or Less	Secondary School	Some Post- Secondary	Completed University	Total
<u>Palestinian Men</u>					
Supports or Somewhat Supports	37%	33%	13%	17%	229
Uncertain or Does not Support	31%	32%	14%	23%	932

 chi square = 6.13; $p > .05$

3. Religiosity (Refers to religious teachings when making important decisions)

<u>Egyptian Women</u>	<u>Always</u>	<u>Sometimes or Rarely</u>	<u>Total</u>
Supports or Somewhat Supports	65%	35%	51
Uncertain or Does not Support	46%	54%	85

chi square = 4.53; p < .05

<u>Egyptian Men</u>	<u>Always</u>	<u>Sometimes or Rarely</u>	<u>Total</u>
Supports or Somewhat Supports	47%	53%	66
Uncertain or Does not Support	50%	50%	84

chi square = 1.36, p > .05

<u>Kuwaiti Women</u>	<u>Always</u>	<u>Sometimes or Rarely</u>	<u>Total</u>
Supports or Somewhat Supports	54%	46%	69
Uncertain or Does not Support	49%	51%	84

chi square = .35; p > .05

(religiosity - continued)

<u>Kuwaiti Men</u>	<u>Always</u>	<u>Sometimes or Rarely</u>	<u>Total</u>
Supports or Somewhat Supports	47%	53%	79
Uncertain or Does not Support	25%	75%	63

 chi square = 6.89, $p < .01$
4. Active in Politics

<u>Egyptian Women</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	42%	58%	50
Uncertain or Does not Support	31%	69%	88

 chi square = 1.80, $p > .05$

<u>Egyptian Men</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	65%	35%	66
Uncertain or Does not Support	35%	65%	84

 chi square = 14.25, $p < .001$

(political activity - continued)

<u>Kuwaiti Women</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	61%	39%	70
Uncertain or Does not Support	40%	60%	84

 chi square = 6.70; $p < .01$

<u>Kuwaiti Men</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	60%	40%	80
Uncertain or Does not Support	46%	54%	63

 chi square = 2.77, $p > .05$

<u>Palestinian Women</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	57%	43%	132
Uncertain or Does not Support	72%	28%	564

 chi square = 11.83; $p < .001$

<u>Palestinian Men</u>	<u>Active</u>	<u>Not Active</u>	<u>Total</u>
Supports or Somewhat Supports	62%	38%	229
Uncertain or Does not Support	77%	23%	947

chi square = 23.17; $p < .001$

5. Gender Equality (Should women be restricted to housework after marriage?)

<u>Egyptian Women</u>	<u>Disagrees with Restriction</u>	<u>Agrees with Restriction</u>	<u>Total</u>
Supports or Somewhat Supports	51%	49%	51
Uncertain or Does not Support	47%	53%	88

chi square = .25, $p > .05$

<u>Egyptian Men</u>	<u>Disagrees with Restriction</u>	<u>Agrees with Restriction</u>	<u>Total</u>
Supports or Somewhat Supports	82%	18%	66
Uncertain or Does not Support	68%	32%	84

chi square = 3.74, $p > .05$

(gender equality - continued)

<u>Kuwaiti Women</u>	Disagrees with Restriction	Agrees with Restriction	Total
Supports or Somewhat Supports	20%	80%	70
Uncertain or Does not Support	17%	83%	84

 chi square = .29; p > .05

<u>Kuwaiti Men</u>	Disagrees with Restriction	Agrees with Restriction	Total
Supports or Somewhat Supports	55%	45%	80
Uncertain or Does not Support	48%	52%	64

 chi square = .61, p > .05

(Palestinian item: would support women political candidates)

<u>Palestinian Women</u>	Would Support	Would Not Support	Total
Supports or Somewhat Supports	43%	57%	134
Uncertain or Does not Support	77%	23%	580

 chi square = 60.80, p < .001

<u>Palestinian Men</u>	<u>Would Support</u>	<u>Would Not Support</u>	<u>Total</u>
Supports or Somewhat Supports	27%	73%	245
Uncertain or Does not Support	66%	34%	962

chi square = 125.65; $p < .001$

6. View of Government (Government usually ignores needs of the people)

<u>Egyptian Women</u>	<u>Agrees/ Negative View</u>	<u>Uncertain</u>	<u>Disagrees/ Positive View</u>	<u>Total</u>
Supports or Somewhat Supports	84%	2%	14%	51
Uncertain or Does not Support	59%	7%	34%	88

chi square = 9.55; $p < .01$

<u>Egyptian Men</u>	<u>Agrees/ Negative View</u>	<u>Uncertain</u>	<u>Disagrees/ Positive View</u>	<u>Total</u>
Supports or Somewhat Supports	82%	3%	15%	66
Uncertain or Does not Support	56%	7%	37%	82

chi square = 11.04; $p < .001$

(View of Government - continued)

<u>Kuwaiti Women</u>	Agrees/ Negative <u>View</u>	<u>Uncertain</u>	Disagrees/ Positive <u>View</u>	<u>Total</u>
Supports or Somewhat Supports	33%	10%	57%	69
Uncertain or Does not Support	35%	25%	40%	84

chi square = 6.63; $p < .05$

<u>Kuwaiti Men</u>	Agrees/ Negative <u>View</u>	<u>Uncertain</u>	Disagrees/ Positive <u>View</u>	<u>Total</u>
Supports or Somewhat Supports	52%	10%	38%	79
Uncertain or Does not Support	33%	14%	53%	63

chi square = 4.91; $p > .05$



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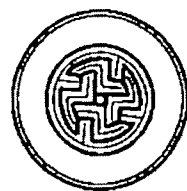
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INTELLECTUAL ORIGINS OF ISLAMIC RESURGENCE IN THE MODERN ARAB WORLD



Ibrahim M. Abu-Rabi^c

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JERUSALEM IN THE MUSLIM CONSCIOUSNESS*

There are other holy cities in Islam, but Jerusalem holds a special place in the hearts and minds of Muslims because its fate has always been intertwined with theirs.

Unlike the two other holiest places of Islam, Mecca and Medina, Jerusalem has always tested the Muslims' commitment to the universalist and monotheistic aspect of their faith. Singled out from the dawn of Islam as a holy center by no less a figure than the Prophet Muḥammad himself, Jerusalem was fated never to be exclusively Muslim. Yet, Jerusalem's centrality to the two earlier monotheistic faiths was known to Muḥammad from the start. There is evidence to suggest that he chose it as an anchor of the faith precisely because of what it meant to People of the Book. Had there been no Islamic heritage in Jerusalem, Muslims never would have known the challenge, the agony, and the magnanimity of religious accommodation and tolerance. Had there been no Jerusalem in the universe of Islam, Muslims might have never known the passion and glory of defending their most hallowed sanctuaries and grounds, only to lose them again century after century.

The sanctity of Jerusalem to Muslims was established through the following sequence of events. About a year before the *hijra* (c. 621 C.E.), the verse on Muḥammad's nocturnal journey from Mecca (*al-Masjid al-Ḥarām*) to Jerusalem (*al-Masjid al-Aqṣā*) or the Temple of Solomon, was revealed in the Qur'ān.¹ According to the great Muslim authority, al-Ḥassan al-Baṣrī, one who was in the relationship of a son to him, the angel Gabriel came to the Prophet while he was sleeping at a place close to al-Ka'ba. Gabriel stirred the Prophet with his foot three times before the Prophet sat up anticipating a serious event. Gabriel took him by the arm to the door, whereupon the Prophet saw a white, winged animal, half mule and half donkey. The Prophet and Gabriel rode the animal until they reached the shrine at Jerusalem. The Prophet ascended from a rock to heaven, whereupon he found Moses and Jesus in the company of other prophets. Muḥammad then led these in prayers. When he returned during the same evening and told his followers and other *Qurayshis* of his journey, they thought this had been an absurd claim since the journey to Syria by caravan takes a

* An earlier version of this paper was read at a special meeting of the World Council of Churches, which convened at Montreux, Switzerland, May 1993.

1 Abd Aziz Duri, "Jerusalem in the Early Islamic Period: 7th-11th Centuries AD," in *Jerusalem in History*, K.J. Asali, ed. (Essex, England: Scorpion Publishing, Ltd., 1989), p. 105.

month and another month to return. When his listeners remained incredulous, the Prophet was asked by Abū Bakr, the future first Caliph of Islam, to describe Jerusalem, and Muḥammad did so in great detail. This dispelled doubts from the followers' minds.²

According to ʿĀ'isha, the Prophet's wife, the body of the Messenger of Allah was not missed during the nocturnal journey. The climb to heaven, she added, occurred with his spirit. Another tradition claimed that it was a vision which occurred in Muḥammad's sleep. But most traditions by the Companions of the Prophet assert differently.³

Several traditions later on took note of the extraordinary meaning of this journey, which culminated in a conversation with God and affixing the times and pattern of Muslim prayers. The embellishment of the story referred to in the Qurʾān as *al-Isrāʾ* was *al-Miʿrāj* (the nocturnal journey and ascension to heaven) which also reflects the significant meaning attached to this event. On his way to Jerusalem, one of the traditions added, Muḥammad stopped to pray at Bethlehem where Jesus, the Messiah, the Son of Mary, was born. Several traditions asserted that while in Jerusalem, Muḥammad's fabled steed, known in Arabic as al-Burāq, was tethered against the Temple Wall, the only remnant of the western exterior of the Temple of Herod. This was the Wailing Wall, so holy to Jews, which now became known to Muslims as al-Burāq Wall.⁴ Encompassing the two religious traditions which preceded his message, Muḥammad thus charted a new course for the future of Jerusalem.

Adding to Muḥammad's sanctification of Jerusalem as the monotheistic meeting ground of all three faiths was his short-lived designation of Jerusalem as the *qibla*, the place towards which all Muslims turn during their prayers. This further imbedded Jerusalem in the Muslim mind. This designation, over which there is no agreement, again worked to enhance Islam's aspiration to a universalist tradition. Even before Muḥammad made his *hijra* to Medina in 622 C.E., he followed the Jewish custom of turning towards Jerusalem at the time of prayer. Changing the *qibla* from Jerusalem to Mecca, which occurred a year later in Medina, was noted in the Qurʾān. There was very little explanation as to what might have brought about this change, but historians generally attribute this to the Prophet's difficulties with the Jewish community of Medina. Having befriended and defended them at first, the Prophet and his nascent community eventually went to war and subdued Medina's Jewish community. According to one authority, al-Rabīʿ Ibn Anas, God had given his Prophet the right to choose

² F.E. Peters, *Jerusalem* (Princeton, N.J.: Princeton University Press, 1985), pp. 184-5.

³ *Ibid.*, p. 183.

⁴ Richard Pfaff, *Jerusalem: Keystone of an Arab-Israeli Settlement* (Washington: American Enterprise Institute, 1969), p. 9.

any direction for the prayers, and the Prophet at first chose to turn towards Jerusalem in prayer in order that the People of the Book be conciliated. This was the Muslims' practice for 16 months, meanwhile the Prophet himself was turning his face towards the heavens until God turned him towards Mecca.⁵ The Qur'ān, however, offered the following lines:

The foolish among the people will say: what has turned them from the *qibla* which they formerly observed? Say: to God belong the east and the west. He guides whom He will in a straight path.⁶

Another tradition attributed to Nisābūrī (d. 1327 C.E.) explains the change as an attempt by Muḥammad to distinguish Islam from the two previous religions. Since Jews faced west when they prayed, which is the direction of the setting of lights, and Christians faced east, which is the direction of the rising of the lights, the People of the Faith (Muslims) faced the manifestation of lights, which is Mecca. Nisābūrī, a Sufi, added that from Mecca is Muḥammad, and from him lights were created.⁷

Changing the *qibla* from Jerusalem to Mecca was, therefore Muḥammad's way of signifying that, unlike the two other faiths, Islam is within the monotheistic tradition but boasting a character of its own. To a religion which claimed the Qur'ān as its only miracle, the story of Muḥammad's nocturnal journey was declared to be the only other miracle in Islam. Thus, Jerusalem was etched in the Muslims' consciousness from the earliest of times. Jerusalem also acquired a fabled and magical nature in people's mind on account of its holiness. A certain genre of Islamic writing developed later, known as *al-faḍā'il* (gracious attributes), which dwelt on Jerusalem's special grace. The Islamic authorities who reported these *faḍā'il* traditions concerning Jerusalem date from the last third of the 7th century to the first quarter of the 8th. Most of these traditions were ascribed to newly converted Jews, such as Ka'b al-Aḥbār, Wahb b. Munabbih, and Abū Rihāna. The summation of these traditions were known as *Isrā'iliyāt*, and most of them were told in the mosque in Jerusalem, influencing the popular imagination greatly. Sometimes, *al-faḍā'il* were attributed to the Prophet himself. The most important of these virtues attributed to Jerusalem was the one asserting that *Bayt al-Maqdis* (Arabic for Jerusalem) is the place of the second and final *hijra* (the first *hijra* being to Medina). Jerusalem is the place of Resurrection, where, on the eve of the Day of Judgement, God will send his best creatures and most faithful to be saved. The rock at Jerusalem will be the bastion, the refuge, of Muslims from *al-Dajjāl* (the anti-Christ). To all Islamic groups, Jerusa-

⁵ Peters, pp. 179-81.

⁶ *Ibid.*, p. 179.

⁷ *Ibid.*, p. 181.

Jerusalem is the place to which the *Mahdī* (the Messiah) will come to triumph over evil. Later on, these notions reappear in the works of credible historians and travellers, such as al-Maḡdisī. A native of tenth-century Jerusalem, al-Maḡdisī wrote that his city combines the virtues of this life and the hereafter, since it is the place of the Resurrection. Even Mecca and Medina will be brought to Jerusalem by the Prophet on the Day of Judgement. It is no surprise, then, that several rulers and leaders stipulated that Jerusalem be their burial place and why many ordinary people return to Jerusalem to die.⁸

The sanctity of Jerusalem also encouraged those unable to perform the pilgrimage to Mecca to come to Jerusalem and stand at the *Ḥarām* (the elevated sanctuary) and sacrifice during the Muslim feast of Sacrifice. Some believed that repeating this ritual every four years would substitute for a pilgrimage to Mecca. In addition, many noted Companions of the Prophet came to visit and stayed. These included the scholars Sufyan al-Thawrī, Wakīʿ bin al-Jarrāḥ, and al-Imām al-Shāfiʿī. There were also famous mystics such as Dhul Nūn al-Miṣrī and Bishr al-Ḥāfi.⁹

When the Muslims conquered Jerusalem in 638 C.E., barely six years after the Prophet's death, it was known as Aelia Capitolina. Five centuries before that date, the Emperor Hadrian (117-138 C.E.), had erased Jewish Jerusalem. The new city which arose in its place was named after the Roman god under whose protection it was placed, namely Jupiter Capitolinus.¹⁰ Jews were prohibited from entering Jerusalem under pain of death as of 70 C.E. The ban on Jewish residency in the city was relaxed by the Emperor Constantine, whose mother, Helena, commissioned the construction of the Church of the Holy Sepulchre. The Emperor permitted the Jews to visit the city once a year, and upon the payment of a fee, to engage in lamentations on the occasion of the destruction of the old temple. These lamentations were conducted on the Mount of Olives, and not inside Jerusalem. Only a few thousand Jews remained in Palestine and were mostly in the Galilee. The Jews later assisted the Persians in their invasion of Jerusalem in 614 C.E. But 14 years later, the Jewish community suffered terrible vengeance at the hands of the Byzantine Emperor Heraclius.¹¹

When the Patriarch Sophronius of Byzantine Jerusalem realized that his city would soon succumb to Muslim forces who besieged it in 638 C.E., he insisted that only the Caliph ʿUmar receive the keys to the city.

⁸ Duri, "Jerusalem", pp. 113-17.

⁹ *Ibid.*, pp. 116-17.

¹⁰ Peters, p. 129.

¹¹ A.L. Tibawi, *Jerusalem, Its Place in Islam and Arab History* (Beirut: Institute of Palestine Studies, 1969) p. 5.

The Caliph, who was visiting the troops in Syria, accepted and offered the following message to the people of Jerusalem:

In the name of Allah, the Merciful, the Compassionate. This is the covenant which 'Umar, the servant of Allah, the Commander of the Faithful, granted to the people of Aelia. He granted them safety for their lives, for their possessions, their churches, and their crosses. . . . They should not be constrained in the matter of their religion, nor shall any of them be molested. No Jew shall live with them in Aelia. . . .¹²

The latter condition was obviously demanded by the Christians and was subsequently ignored by the Muslims. The most urgent task upon 'Umar's entry into the city was to locate and identify places associated with the Prophet's nocturnal journey. 'Umar, accompanied by Sophronius and some of the Caliph's companions, cleaned the rock from which Muḥammad ascended to heaven, for it was covered by a pile of dung. After furious cleansing with his own hands, the Caliph ordered that the whole Noble Sanctuary area (*al-Ḥarām al-Sharīf*) be allowed to be washed by rain for three days before the resumption of Muslim prayers. Finally, 'Umar led the prayers south of the rock, the occasion being made memorable by the performance of the call to prayers (*al-adhān*) by Bilal, the Prophet's beloved Abyssinian former slave who gave up the call upon the death of his master.¹³

Muslim veneration for this city was demonstrated immediately when two of the Prophet's Companions, 'Ubādah Ibn al-Ṣāmit and Shaddād Ibn Aws decided to make their residence in the city. 'Ubādah was named the first Muslim Judge, or *qāḍī*, of Jerusalem and died in office. Before the Caliph 'Umar left the city, a primitive structure was erected next to the rock.¹⁴ The magnificent architectural gem known as Dome of the Rock which eventually replaced this structure was the crowning monument of the Umayyad dynasty. The Umayyads (661-750 C.E.) paid special attention to Jerusalem for both political and religious reasons. Fully conscious of the city's religious prestige, the Umayyads consciously attempted to transform it into a rival to the religious and temporal seat of their enemies in Mecca and Medina. But even the Umayyads were unable or unwilling to transform Jerusalem into a political capital. Instead, they continued to reside in Damascus, while repairing to Jerusalem for magnificent and symbolic state occasions such as receiving the *bay'ah* (oath of allegiance) upon their accession to office. Jerusalem, however, was never

¹² *Ibid.*, p. 8.

¹³ *Ibid.*

¹⁴ *Ibid.*, pp. 8-9.

made an administrative center under the Umayyads, since to do so would mean the emplacement of troops there to be fed and cared for by the local population. Jerusalem had its judge and its governor, but it was not a center of military activity. It was 'Abd al-Malik, the second founder of the dynasty, who built the Dome of the Rock in 691-692 C.E. There is no substantial evidence that the erection of the Dome of the Rock diverted the pilgrimage from Mecca to Jerusalem, for the pilgrimage to Mecca continued. The most likely motive was 'Abd al-Malik's desire to "express the splendor of Islam in architectural terms in a city of magnificent churches."¹⁵ The al-Aqṣa Mosque on the southern edge of the Noble Sanctuary was also built during this period, although accounts as to its builder waver between 'Abd al-Malik and his son, al-Walid.¹⁶

The Arabization and Islamization of the city continued under the next dynasty, the 'Abbāsids (750-1258 C.E.), but Jerusalem never became an administrative capital. Instead, increased contacts between the great 'Abbāsid Caliph, Hārūn al-Rashīd, and Charlemagne's empire led to the expansion of the city's Christian institutions. Although there is no foundation to the story of the exchange of embassies between Charlemagne and Hārūn al-Rashīd, permitting Latin Christians to establish hostels and a library reflected the Muslims' intent to afford Christian pilgrims worthy treatment. Under the 'Abbāsid caliph al-Ma'mūn, the Patriarch of Jerusalem was permitted to undertake substantial repairs of the Holy Sepulchre buildings.¹⁷

The historian/traveller al-Maqdisī has written about the excellent relations between Muslims and Christians during this period. Muslims, he wrote, would often participate in Christian agricultural feasts. The Fatimid dynasty, centered in Egypt, also followed tolerant policies towards the city's Christians and Jews, with the exception of the deranged Caliph and founder of the Druze sect, al-Ḥākim bi-Amr Allah (996-1021 C.E.). In 1009, al-Ḥākim ordered the destruction of the Holy Sepulchre, although towards the end of his reign he allowed Christians to rebuild their churches. The Holy Sepulchre was rebuilt during the reign of al-Ḥākim in 1022 C.E.¹⁸

On the eve of the Crusader period, Jerusalem seems to have enjoyed a vibrant existence as an Islamic cultural center. The famous Andalusian scholar, Ibn al-'Arabī, alluded to this in his book *Riḥla*, which he compiled upon his residence in the city in 1093 C.E. He noted the existence of two schools of jurisprudence, the Ḥanafī and the Shāfi'ī, and the prevalence of seminars and lectures by prominent teachers. Ibn al-'Arabī also described religious dialogues by Muslim, Jewish, and Christian scholars.¹⁹

¹⁵ Duri, "Jerusalem," pp. 108-11.

¹⁶ *Ibid.*, p. 111.

¹⁷ *Ibid.*, pp. 112-13.

¹⁸ *Ibid.*, p. 118.

¹⁹ Mustafa Hiyari, "Crusader Jerusalem, 1099-1187 A.D.," in *Jerusalem in History*, p. 131.

By 1099, however, Frankish invaders appeared before the walls of Jerusalem. When the Latin invaders finally entered Jerusalem, the inhabitants took shelter at the Noble Sanctuary but were massacred regardless. Al-Aqşa Mosque became the residence of the Latin King until it was turned over to the Templars to use as their headquarters, and the Dome of the Rock became known as *Templum Domini*. The city quickly lost its Islamic character with the building of new churches, convents, monasteries, and hospices for European and Oriental pilgrims. Even the names of the city's gates and streets were changed. The old Muslim, native Christian, and Jewish population was replaced by Latins, native Syrians and other Oriental Christian groups.²⁰

The Latins, however, always feared the return of the Muslims. The head of the Templars Order, Bertrand Blanquefort, once expressed great fear that a single Muslim prince would succeed in reuniting the two powerful realms of Cairo and Damascus and eliminate all Christians. William of Tyre expressed similar fears towards the end of the twelfth century, only to see his worst fears realized in the emergence of Ṣalāḥ al-Dīn al-Ayyūbī (Saladin). Barely 15 years after conquering Egypt, Saladin extended his rule to Damascus and captured Jerusalem in 1187 C.E. In less than two weeks after the signing of the surrender agreement, the Latin inhabitants of the city left, leaving behind them native Christian and Greek priests. But thousands of Muslims came to visit the liberated city, and the Sultan permitted Jews to reenter the city after having been forbidden to live there. Only a few Jews lived in Jerusalem during the Latin Kingdom.²¹

Saladin's restoration of Jerusalem to Islam was the subject of the first Friday sermon delivered at al-Aqşa Mosque. The occasion was somber, and the man honored with this task was Muḥyī al-Dīn Ibn al-Zakī, the Chief Judge of Aleppo, who dwelt on the theme of how God is to be thanked for restoring the Holy House (*Bayt al-Maqdis*) to the Muslims. This was followed by the enumeration of Jerusalem's holy attributes in the eyes of Muslims.²²

What heightened the drama of Saladin's retaking the city in the name of Islam is that it coincided with the anniversary of the Prophet's ascension to heaven.²³ Jerusalem was lost again to Christian invaders in 1229 C.E. but was restored 15 years later.²⁴ Thus a pattern was set. Not unlike other humans, Muslims were magnanimous in victory but subject to collective fears and anxieties in defeat. The lesson of their association with

²⁰ *Ibid.*, pp. 138, 141.

²¹ *Ibid.*, pp. 165, 169.

²² Donald P. Little, "Jerusalem under the Ayyubids and Mameluks, 1187-1516 A.D.," in *Jerusalem in History*, p. 177.

²³ Peters, p. 346.

²⁴ Pfaff, p. 10.

Jerusalem was that tolerance bears direct relationship to feelings of collective security and well-being. Thus, when the nineteenth century dawned and Ottoman power over the Holy Land declined, Muslims felt threatened in their most hallowed grounds. The nineteenth century not only brought rising Western influence exercised through foreign consuls in Jerusalem, it also brought attempts to usurp Muslim historical rights over some of their religious sites. An increasing Jewish immigration to the holy city began to manifest itself under the protection of foreign consuls. There was a serious attempt to consolidate Jewish customary rights over the Wailing Wall which the Muslim authorities viewed with alarm. The Wailing Wall, or the Western Wall, was the only remnant of the Jewish temple and considered one of their most holy shrines. But to the Muslims, the area outside and around the Wall was hallowed ground associated with the Prophet's journey and part of the Noble Sanctuary area. The Wall itself, known to Muslims as al-Burāq Wall, was made into a religious charitable trust by Saladin's son. The land outside of the Maghāribah Gate of the Noble Sanctuary area, including the Wailing Wall itself, was dedicated as a religious foundation (*waqf*) by Saladin's son, al-Afdāl, in 1193 C.E. The same ruler built the Maghāribah Mosque in the southwest corner of the area near the gate by that same name and dedicated land outside the gate as a *waqf* for the mosque and North African pilgrims and scholars. In 1630 C.E., this land and its amenities were reregistered as a *waqf* in Muslim religious courts. But in 1839, the British Consul approached Ibrāhīm Pāsha, the Egyptian ruler of Syria and son of Muḥammad ʿAlī Pāsha, with a request to permit a British Jewish subject to pave and restore the Wailing Wall area. But the city's consultative council, an administrative innovation which Ibrāhīm Pāsha had set up, firmly refused. In its letter to Ibrāhīm Pāsha, the consultative council, representing the city's traditional Muslim families, presented testimony by the Sheikh of the Maghāribah that Jews were always permitted to visit a section of the Wailing Wall. This led to the publication of an order by Muḥammad ʿAlī Pāsha to the Governor of Jerusalem denying the Jewish request.²⁵

Palestine was finally separated from its historic ties to Syria on the 9th of December, 1917, when General Edmund Allenby entered the city and established British control. Allenby read a carefully prepared proclamation written by the British Foreign Minister, Lord Curzon, and approved by the British cabinet with a view of allaying the fears of India's Muslims upon the defeat of the Ottoman Empire in the war. The statement went as follows:

²⁵ Tibawi, pp. 25-26.

I make known to you that every sacred building, monument, pious bequest, or customary place of prayer, of whatsoever form, of the three religions, will be maintained and protected according to existing customs and beliefs of those to whose faiths they are sacred.²⁶

This was a promise to maintain the Ottoman policy of the *status quo*, whereby the ownership or usage of every inch of the old city of Jerusalem was regulated by customary rights. The Ottoman policy itself was a legal elaboration on the Covenant of 'Umar. But it was not the British who worried about safeguarding the ancient monuments of Jerusalem. Kaiser Wilhelm II, upon seeing the British advance on Jerusalem, pleaded with the Turkish High Command to spare the holy city the horrors of war. The Turks listened to his plea and retired without fighting in or near Jerusalem.²⁷

But Jewish attempts to purchase the Wall reappeared in 1918. Chaim Weizmann, President of the Zionist Organization, approached Lord Arthur Balfour on the 30th of May, 1918, and requested transferring the Wailing Wall to the Jews for it is:

... the only one which is in some sense left to us ... It is surrounded by a group of miserable, dirty colleges and derelict buildings, which make the whole place from a hygienic point of view a positive danger ... Our most sacred city, is in the hands of some doubtful Moghreb (sic) religious community.²⁸

When Sir Ronald Storrs, the first British Military Governor of Jerusalem, undertook the delicate task of sounding out Kāmil al-Ḥusseinī, the Mufti of Jerusalem, on the prospect of purchasing land and houses adjacent to the Wall, he mentioned nothing about the Wall itself. The Mufti asserted, however, that no *waqf* property can be sold at any amount of money, not even to a fellow Muslim. A Moroccan Jewish individual was then sent to the Sheikh of the Abū-Madyan foundation which runs the Wailing Wall area, with a handsome offer of money, but was again refused. This prompted 'Ārif Pāsha al-Dajānī, the city's Mayor, and 14 dignitaries representing the city's leading families to send a petition to the British Governor in which they quoted General Allenby's proclamation.²⁹ Thus, the city's defense at last fell to its own people. One might even conclude that the need to protect Muslim historical rights in Jerusalem was one of the contributing factors leading to the development of Palestinian nationalism.

²⁶ *Ibid.*, pp. 30-31.

²⁷ *Ibid.*, pp. 38-41.

²⁸ *Ibid.*, p. 31.

²⁹ *Ibid.*, pp. 38-41.

The Wailing Wall reemerged as a volatile issue between Muslims and Jews in 1929. Under the Ottoman *status quo* system, Jerusalem's Jewish population was allowed to pray at the Wailing Wall but were not granted any rights in the area. Their right to pray was only a customary right. But beginning in 1918, there was an effort made to expand these customary rights by bringing chairs, benches, and other items to the prayer site. These actions immediately aroused suspicions of the Muslim population, who, knowing Jewish interest in the Wall, began to suspect that Jews intend to build a synagogue in this area.³⁰

Many incidents contributed to Muslim suspicions. Eight years after Weizmann's attempt to purchase the Wall, Colonel Frederick H. Kisch, head of the Political Department of the Zionist Executive, collaborated with Judge G. Frumkin in 1926, in concocting a plan referred to as "An elaborate scheme," to purchase properties in front of the Wall by raising the sum of PL 100,000. The idea was to begin by purchasing partial *waqf* property facing the Wall, which Kisch wrote to Weizmann, would weaken the sanctified status of the whole area as a *waqf*. This step, Kisch hoped, would force the Supreme Muslim Council to accept it as a *fait accompli*. His plan was to remove the Moroccan residents from the property he planned to acquire and demolish their houses. By 1926, a large property 50 meters from the gate of the Ḥarām area was purchased and rumors circulated that more property would soon end up in Jewish hands. Muslim anger at these rumors was fueled by a sense of helplessness as they contemplated moves by their new British masters. Moreover, most Muslims believed that Jewish designs extended to the Ḥarām area itself with all of its sacred monuments since Jews believed that at one time the area housed their Temple.

Palestinian Muslims were also alarmed at news of a suggestion made by Sir Alfred Mond (later Lord Melchert), British Minister of Health and a major financier of Jewish projects in Palestine, regarding the construction of a new edifice where Solomon's Temple once stood. Palestinians also became aware of a widely circulated picture of the Star of David painted on the Dome of the Rock.³¹

After this situation flared up in major clashes between Jews and Arabs in 1929, the British referred the issue of overlapping religious rights over the Wailing Wall area to the Shaw Commission, as well as to the International Wailing Wall Commission. Both of these commissions confirmed the status quo arrangements devised by the Ottomans and con-

³⁰ Michael Hudson, "The Transformation of Jerusalem, 1917-1987, A.D.," in *Jerusalem in History*, pp. 254-55.

³¹ Philip Mattar, *The Mufti of Jerusalem* (New York: Columbia University Press, 1988), pp. 40-41.

firmed Muslim rather than Jewish rights in the area of the Wall.³² Both decisions were based on Turkish practice, first confirmed in a *firmān* (Turkish decree) in 1852, which itself was an affirmation of a position taken by the Sultan in 1757. This position, generally referred to as the status quo, rigorously established a system of ownership and control over every inch of the old city of Jerusalem.³³

Jerusalem's worldly fortunes in the twentieth century reflected the city's place in the consciousness of its various residential and ruling groups. Whereas Muslims never made Jerusalem a worldly capital before, not even under the Umayyads, the British proceeded to establish it as the administrative capital of all of Palestine. After 1948 and the division of the city into an Israeli and a Jordanian sector, the Muslims continued to display their aversion for bestowing a political status on Jerusalem. Whereas Israeli Jerusalem was immediately declared the capital of Israel, Jordanian authorities resisted pressure by other Arab governments to do the same. Instead, the Jordanians performed a limited gesture in response to Israel's transfer of its Foreign Ministry to Jerusalem in 1953. The Jordanians held a single session of the Jordanian cabinet, followed by a single session of the Jordanian Parliament in Jerusalem. In 1955, and again in an attempt to mollify the feelings of Jerusalem's Arab citizens, Jordanian Jerusalem was elevated from a *Mutaşarifiyah* to a *Muḥāfaẓa*. Under the *Mutaşarifiyah* system, Jerusalem was the main town of an administrative division which included the surrounding villages and which was placed under the jurisdiction of the Ministry of the Interior. Under the *Muḥāfaẓa* system, on the other hand, Jerusalem was the center of a large administrative unit which included Bethlehem, Ramallah and Jericho. Jordanian Jerusalem, therefore, was on a par with the Jordanian capital, Amman, though the former never functioned as the administrative center of the entire West Bank. Jordanian Jerusalem was simply the foremost city in the West Bank, where all the religious institutions (and perforce the legal institutions) were placed. The *Muḥāfiẓ* of Jerusalem, additionally, was appointed by the Jordanian monarch and was not responsible to the Ministry of the Interior. The municipal council of Jerusalem was made up of 12 elected and two appointed members. The Government then selected a mayor from among the elected members.³⁴

Jordanian tenure over the holy city generated new controversies. The Israelis have complained that they were prevented from worshipping at the Wall from 1948 until their takeover of the city in 1967. The Jordanian

³² Hudson, p. 255.

³³ Pfaff, pp. 17-18.

³⁴ Ghada Talhami, "Between Development and Preservation: Jerusalem under Three Regimes," *American-Arab Affairs*, No. 16 (Spring, 1986): pp. 105-06.

Government had responded that it would be willing to reopen access to the Wall in the context of a general peace agreement but that it could not assure the safety of Jewish worshippers under the conditions of war. The Jordanians have also asserted that they have preserved the Wall, in marked contrast to the destruction of Muslim cemeteries and the takeover of Muslim *waqf* properties within Israel proper. As soon as the war of 1967 ended, the Israelis were anxious to lay claim to the Wall and the Old Jewish Quarter, the Wall being the only Jewish monument within the Old City. The other Jewish monument of note, Rachel's tomb, lies outside the city on the road to Bethlehem. Jewish claim to the ownership of the Jewish Quarter was also disputed by Muslim historians.

Following the 1948 Arab-Jewish War, Jewish residents of the Quarter fled outside the walls following their defeat at the hands of the attacking Jordanian army. The Jordanian Government was immediately faced with a flood of Arab refugees who fled the newer suburbs of Jerusalem and surrounding Arab villages when these fell to the Israelis. The Jordanian authorities allowed these to live in the vacant Jewish Quarter but attempted their removal to the eastern suburb of Shu'fat beginning in 1949. Following this, some Hebron residents who moved to the Old City attempted to rent some of the vacant areas from the Custodian of Enemy Property. Upon the arrival of the Israelis in 1967, there were about 5,500 Arabs living in the Jewish Quarter. It should be noted here that the Israelis never compensated Arabs for lost properties which were confiscated outright in the Arab suburbs of Jerusalem which fell to them in 1948. A hot debate still surrounds the amount of property owned by the Jewish population in the Jewish Quarter before 1948. Medieval Jewish travellers who went through Jerusalem in the Middle Ages failed to note the existence of any synagogues there. Jews who returned to the city following the Crusades were permitted to rent property from Muslim families or the Islamic *waqf* at nominal prices. Even some Jewish cemeteries existed on rented Muslim lands. A current Jewish historian, Amnon Cohen, confirmed these facts. Because these properties were rented to Jews for hundreds of years for very low rents, Israeli authorities in 1967 treated these rental rights as legal rights.³⁵

Also following the 1967 War, the Israelis quickly moved to establish the right of Jewish citizens to live in the *Ḥarām Sharīf* area and to worship at the Wall. Beginning on the third day of the 1967 War, the Israelis levelled the Mughrabī quarter in order to create a wide plaza before the Wailing Wall. Palestinians living in this vicinity were evicted from the surrounding area which was now converted into the expensive and newly

³⁵ Tibawi, p. 20; M. A. Aamiry, *Jerusalem: Arab Origin and Heritage* (London: Longman Group, Ltd., 1978), pp. 48-51; Amnon Cohen, *Jewish Life under Islam: Jerusalem in the Sixteenth Century* (Cambridge, Mass.: Harvard University Press, 1984), p. 77.

developed Jewish Quarter. In 1978, the Israeli Supreme Court prevented Palestinians from access to the reconstructed Jewish Quarter.³⁶

Since the loss of Jordanian Jerusalem, the Arab portion of the city has experienced a new type of violence, which, at first secular, then religious in nature, again swirled around the issue of custodianship of the Islamic holy places. Native Christian Palestinians felt the need to defend Muslim holy sites as much as the City's Muslim inhabitants. No less an authority than Sheikh 'Abd al-Ḥamīd al-Sāyih, former head of the Supreme Muslim Council, and in later years the Chairman of the Palestine National Council, was known to have addressed this issue. He said that the duty of the *jihād* in order to liberate Jerusalem and Palestine applied to Palestinian Christians as much as it did to Muslims.³⁷

Finally, it should be stressed that the current status of Jerusalem's Islamic holy places is governed by the laws of war since this is the only law which guaranteed Muslim autonomy. After a dangerous standoff between the Israeli Armed Forces and the Muslim religious scholars of the Ḥarām al-Sharīf area in June, 1967, the Israelis issued orders to separate Jerusalem's *sharī'a* system from that of the West Bank. Officials of the Muslim section of the Israeli Ministry of Religious Affairs also demanded the right to approve the text of the Friday religious sermon at al-Aqṣa Mosque. In response, the Muslim leadership boycotted the Friday prayers at the Noble Sanctuary and issued a memorandum to the Israeli authorities in July of 1967. The memorandum signified acceptance of the occupation regime in accordance with international law (thereby rejecting the validity of Jerusalem's annexation law). The memorandum informed the Israelis that Muslim scholars had incorporated themselves as a "Muslim Council" in charge of Muslim affairs in the West Bank and Jerusalem until the occupation ended. This group appointed Sheikh al-Sāyih as the Chief Justice of the West Bank. The Muslim Court of Appeals declared itself responsible for all *waqf* property and for al-Aqṣa Control Committee. These steps recreated British arrangements guaranteeing Islamic autonomous control over Islamic holy sites. The Israelis then bowed to this pressure and agreed to remove the Islamic affairs of Jerusalem and the West Bank from the jurisdiction of the Israeli Ministry of Religious Affairs to the jurisdiction of the Israeli military governor.³⁸

³⁶ Alison Brown and Jan de Jong, *Recreating East Jerusalem: Israel's Quiet Judaization of the Palestinian City*, report by the Palestine Human Rights Information Center and the Palestine Geographic Research and Information Center, Jerusalem, n.d., p. 7.

³⁷ "Ḥiwār ma' al-Sheikh 'Abd al-Ḥamīd al-Sāyih," (Interview with Sheikh 'Abd al-Ḥamīd al-Sāyih, Chairman of the Palestine National Council), *Fikr lil-Dirāsāt wa al-Abḥāth*, No. 10 (1986): pp. 29, 31.

³⁸ Meron Benvenisti, *Jerusalem: The Torn City* (Minneapolis: The University of Minnesota Press, 1976), pp. 282-87.

The struggle for control of Muslim and Jewish holy sites is a long struggle. Much of this is the result of overlapping rights and the tendency of the city's new invaders to ignore its legacy of coexistence and tolerance. If there is any moral to be learned from the history of Jerusalem, it is that the city stands as a monument to the unity of the monotheistic tradition. The forces of modern nationalism should never be allowed to mar the memory of this jewel in the Abrahamic firmament of sacred places.

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THE GENERAL ISLAMIC CONGRESS OF JERUSALEM RECONSIDERED*

The outcome of World War I and the "peace" settlements that followed dealt severe blows to Arabism and pan-Islamism alike. Moreover, the Turkish decision in 1924 to abolish the Caliphate left the Muslim world without a political center, however symbolic, with which to identify. During the next few decades, rival attempts to re-establish the Caliphate, the convening of several pan-Islamic congresses, and the emergence of different proposals for Arab unity proved to be inconclusive. Notwithstanding, these uncertain and in many ways erratic schemes gradually reasserted and redefined pan-Islamism and Arab nationalism. The pressing and unique issue of Palestine, promoted by politically enterprising Palestinian leaders was to effect, and be affected by, the pursuit of Arab and Muslim ideals. One of the most significant developments in this context was the holding of the Jerusalem General Islamic Congress in 1931.

Following a number of pan-Islamic gatherings in the 1920s, and the Palestinians' growing quest for pan-Islamizing their anti-Zionist and anti-British struggle, especially after the Western Wall bloody events of 1929, the Congress proved to be a turning point in the course of pan-Islamic politics. If the Caliphate institution represented for centuries the symbolic embodiment of Muslims' solidarity and their integral community, the Jerusalem Congress turned out to be, paradoxically, a closing chapter to the 1920s debate and scramble for the Caliphate seat. On the other hand, it was to place Palestine on the political agenda of many Islamic nations and forces. What follows is a reassessment of the General Islamic Congress, in which special attention is given to the difficulties that surrounded the preparations for the Congress, and to the causes that precipitated the Congress's decline as a permanent organization. The Congress represents a high point in the political and cultural development of the Arab-Islamist movement in the interwar period; studying it with care sheds light on the relations between the modern Arab state and popular forces, the inner cohesion of Arab-Islamist forces, and the deepening mistrust between the Arab movement, on the one hand, and the Western imperialists and the Zionist movement, on the other.

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The Idea of a Congress in Jerusalem

By the beginning of the 1930s, the mufti of Jerusalem Ḥajj Amīn al-Ḥusayni was already acknowledged as a national, Arab, and Islamic leader. His Arab and Islamic contacts were becoming extensive following his activities to raise funds for the restoration of al-Ḥaram al-Sharīf, his support of the Syrian revolt, and his participation in the Mecca Islamic Congress. He occupied a distinguished place among the active, though nonofficial association of Arab and Islamic reformists, dignitaries and politicians, that linked people such as Riqā and ʿAbd al-Ḥamīd Saʿīd in Cairo, Arslān in Geneva, Muḥammad and Shawkat ʿAlī in India, al-Thaʿalibī in his exile between Cairo and Baghdad, and al-Quwwatī in Damascus. The inauguration of al-Ḥaram al-Sharīf restoration, which was organized by the Supreme Muslim Council (SMC) in Jerusalem on 29 August, 1928, was attended by many distinguished guests, including ʿAmir ʿAbdullah of trans-Jordan, ʿAbd al-Ḥamīd Saʿīd, the President of the Young Muslim Men Society (YMMS), and the Arab-Islamic reformist Muḥib al-Dīn al-Khaṭīb.¹ Therefore, it was not surprising that in the wake of the disturbances of 1929, the mufti would succeed in turning the hearings of the Western Wall Commission into a demonstration of Muslims' and Arabs' support for the Palestinian cause.² In fact, the results of the Commission's investigations were considered a triumph for the Palestinians and a vindication of the mufti's unrelenting efforts to protect the Muslims' rights in al-Ḥaram al-Sharīf. The rise of Ḥajj Amīn al-Ḥusayni was immediately noted by the declining Palestinian Executive Committee. Encouraged by the activities of the Western Wall Commission, by personal disposition of the British High Commissioner (HC) John Chancellor, and the emergence of a new labor government under Ramsey MacDonald,³ the Executive Committee elected a delegation to negotiate with the British government in London. This delegation was headed by Mūsā Kāzīm al-Ḥusayni and included Rāghib al-Nashāshībī, ʿAwnī ʿAbd al-Hādī, Jamāl al-Ḥusayni, Alfred Rock and, for the first time, Ḥajj Amīn al-Ḥusayni.

Arriving in London on 30 March 1930, the Palestinian delegates were received the following day by the Prime Minister and Lord Passfield, the Colonial Secretary. Negotiations ensued but were utterly inconclusive, both on the issue of Jewish immigration and the institution of a national

¹ *Al-Manār*, vol. 29, 1928, pp. 384-390; The Supreme Muslim Council, Bayan of 1928, pp. 2-13; ʿAḥḥ Nwayhid, *Rijāl min Filastīn* (Beirut: Manshūrāt Filastīn al-Muḥtala, 1981), 344-355.

² Great Britain, Colonial Office: Report of the Commission Appointed by His Majesty's Government with the Approval of the Council of the League of Nations to Determine the Rights and Claims of Moslems and Jews in Connection with the Western or Wailing Wall at Jerusalem (London: HMSO, 1930), 62 ff.

³ ʿAbd al-Wahāb Kayyālī, *Palestine: A Modern History* (London: Croom Helm, 1978), 157.

parliamentary government. However, the British promised to investigate the Palestinian complaint concerning the sale of Arab land to the Jews. In October 1930, the government published the report by Sir John Hope-Simpson, its appointed land expert on immigration and land settlement,⁴ which became the basis for the Statement of Policy by H.M. Government on Palestine, known as Passfield's White Paper.⁵ Hope-Simpson concluded in his report that if all the cultivable land in Palestine were divided up among the Arab agricultural population, there would not be enough to provide every family with a decent livelihood. He therefore recommended that until further development of land and irrigation had taken place, "there is no room for a single additional settler if the standard of life of the (Arab) *fellaheen* is to remain at its present level." Passfield's White Paper, while upholding the principle of "dual obligation" under the mandate (towards the Arabs and Jews), adopted, by and large, Hope-Simpson's estimates and promised to implement his recommendations. It also declared that the time had come to establish a Legislative Council on the lines indicated in Churchill's White Paper of the early 1920s.

The Zionist reaction to the Hope-Simpson Report and the White Paper was vehement. Demonstrations were staged in several Western countries and many leading British politicians declared their support to the Zionist protests. In the words of the Peel Commission Report of 1937, the British public reaction to the episode was "an impressive demonstration of the political power the Zionists could mobilize in England."⁶ Subsequently, talks began between British officials in London and Zionist representatives on the reinterpretation of the White Paper. In January 1931, the Colonial Secretary wrote to the HC informing him of the necessity of finding a "modus co-operandi" with the Jewish organization, in the wake of the outcry against the White Paper. The government, Passfield confirmed, "seems to have no alternative to writing and publishing, or allowing to be published, a letter to Dr. Weizmann, defining our policy in Palestine in terms more precise and more acceptable to the Jews than those of the White Paper."⁷ Indeed, a letter from the Prime Minister to Weizmann was published shortly afterwards,⁸ in which MacDonald assured the World Jewry of H.M. Government's obligation to uphold the terms of the man-

⁴ Cmd. 3686, "Palestine: Report on Immigration, Land Settlement and Development by Sir John Hope-Simpson" (London: HMSO, 1930).

⁵ Cmd. 3692, "Palestine: Statement of Policy by His Majesty's Government in the United Kingdom" (London: HMSO, 1930).

⁶ Cmd. 5479, "Report of the Palestine Royal Commission", (Peel Commission Report) (London: HMSO, 1937), 74.

⁷ Passfield to Chancellor, 9 January 1931, CO 733/197.

⁸ Colonial Office, Middle East No. 39, Palestine: Letter from the Prime Minister to Dr. Ch. Weizmann, 13th February 1931. (A copy is found in I. Clayton Papers, St. Antony's Library, Oxford Box II).

date, the Jewish National Home (JNH) policy and the expansion of Jewish settlement and immigration. For the Palestinians, MacDonald's statement was regarded as a "Black Letter"; as for Weizmann, it was considered the major factor in enabling the Zionist enterprise "to make the magnificent gains of the ensuing years."⁹ Furthermore, the High Commissioner Sir John Chancellor who was viewed in London as accommodating to the Palestinians' demands, was soon to be replaced by Sir Arthur Wauchope, who opened the doors to mass Jewish immigration. As a result, the post-1929 cautious developments in British policy towards Palestine, which were received with guarded optimism by the Palestinians, were eventually to come to a disappointing end. Once again, the Palestinians were reminded of their urgent need for Arab and Muslim backing.

In January, 1931, Mawlana Muḥammad 'Alī, the Indian Muslim leader of the Caliphate Movement, died suddenly in London. He and his brother Shawkat were well-known pan-Islamic leaders who were particularly supportive of the Palestinians. It was Muḥammad 'Alī who delivered one of the three closing speeches on the Muslims' behalf before the International Commission of the Western Wall. Upon arrival of the news of Muḥammad 'Alī's death, the mufti Ḥajj Amīn al-Ḥusaynī moved to secure his burial at Jerusalem in the sanctity of al-Ḥaram al-Sharif.¹⁰ The mufti's overture was in a sense an acknowledgment of the Indian leader's long support for the Palestinian cause, but it also had the appearance of a calculated measure towards turning Jerusalem into a pan-Islamic capital. Early and recent sources on the Jerusalem Islamic Congress seem to agree that the idea of a General Islamic Congress to be held in Palestine was first suggested by Shawkat 'Alī during the funeral of his brother Muḥammad 'Alī on 24 January 1931.¹¹ The Palestinian historian 'Izzat Darwaza, who was known to

⁹ Chaim Weizmann, *Trial and Error: The Autobiography of Chaim Weizmann* (London: Hamish Hamilton, 1949), 415.

¹⁰ Chancellor to Passfield, 17 January 1931, FO 371/15330; H. A. R. Gibb, "The Islamic Congress at Jerusalem in December 1931." In Arnold Toynbee (ed.), *Survey of International Affairs, 1934* (London: Oxford University Press, 1935), 100; Uri M. Kupferschmidt, *The Supreme Muslims Council: Islam Under the British Mandate for Palestine* (Leiden: E. J. Brill, 1987), 194-5. At the funeral, which was attended by thousands of Palestinians and many Arab and Muslim dignitaries, the Egyptian most distinguished poet Aḥmad Shawqī immortalized the occasion with a classic Arabic poem (Nwayhid, *Rijāl*, 369). See also on the funeral, Chancellor to Passfield, 28 January 1931, FO 371/15332.

¹¹ Wauchope to Cunliffe-Lister, 12 December 1931, FO 371/16009; Gibb, *The Islamic Congress*, 10; Alfred Nielson, "The International Islamic Conference at Jerusalem," *The Muslim World*, 2 (1932), 342; 'Adil Ḥasan Ghunaym, "al-Mu'tamar al-Islāmī al-'Ām, 1931," *Shu'ūn Filastiniyya*, 2 (September 1973), 119; Martin Kramer, *Islam Assembled: The Advent of the Muslim Congresses* (New York: Columbia University Press, 1986), 125. Nwayhid, *Rijāl*, 37, who accompanied Ḥajj Amīn al-Ḥusaynī to Mecca Congress of 1926 stated that the idea of a Muslim congress in Jerusalem was first discussed between the mufti and the Indian leader Muḥammad 'Alī in Mecca. A Statement by the Preparatory Committee signed by Ḥajj Amīn al-Ḥusaynī on 27

have been close to the mufti and was an active member of the Congress related the idea of holding an Islamic Congress in Jerusalem to the Tunisian leader 'Abd 'Azīz al-Tha'ālibī.¹² A few months after the Congress was held, the pro-mufti newspaper of Jerusalem *al-Jāmi'ā al-'Arabīyya*¹³ wrote that the Permanent Secretariat of the Congress was planning to publish a book on the history, background and works of the Congress; the promised book was never officially printed. What appears to have been a draft manuscript of the above-mentioned book has been found among the papers of al-Tha'ālibī and was published by a Tunisian publisher known to be widely interested in al-Tha'ālibī's works.¹⁴ Valuable as it is, this book—apart from the texts of letters included—should only be considered as al-Tha'ālibī's version rather than the Congress' official view of events. Predictably, in various parts of the book, implicitly and explicitly, especially in a letter to the mufti, dated 21 October 1931, al-Tha'ālibī denounced the circulated news that the Congress' idea was Shawkat Ali's,¹⁵ and left the impression as the chairman of the Preparatory Committee, that he was the main figure behind the Congress.

Al-Tha'ālibī was a founder of al-Dustūr Party in Tunisia and a Muslim reformist with a strong belief in the institution of modern Muslim society on a reconstructed vision of Islam. Like most of the North African nationalist leaders, he was an Ottomanist who took the empire's side during the War.¹⁶ Not surprisingly, therefore, he developed a long and deep-seated friendship with Shakīb Arslān,¹⁷ a background which defined his attitude:

October 1931 ['Abd al-'Azīz al-Tha'ālibī, *Khālfiyyāt al-Mu'amar al-Islāmī Bil-Quds*, 1931 (Beirut: Dār al-Gharb al-Islāmī, 1988), 46-8], claimed that the Congress was being thought of for the last two years, i.e., since after the riots of 1929. However, an early mention of the projected Congress in Jerusalem can be found in a British Police Report from Cairo entitled "Pan-Islamic and pan-Arab Activities" concerning a private conversation between the mufti and a Muslim friend in Cairo on 18 March 1931, where the mufti indicated that the aim of his visit to Egypt was "to discuss with Moslem leaders of all parties in Egypt details concerning the proposed Islamic Congress which was projected to take place in June of this year", see the Report in McSweeney (CO) to Mr. Selby, 30 March 1931, FO 371/15326/E 1713.

¹² Muḥammad 'Izzat Darwaza, *Hawā' al-Ḥaraka al-'Arabīyya al-Ḥadītha* (Sidon: al-Maṭba'at al-'Asriyya, 1949-51), 6 vols., vol. 1, 79. The idea of holding of a Congress in Jerusalem seems to have been circulating among Arab-Islamists. The Libyan leader Bashir al-Sa'dawi also claimed that he was the first to propose it to the mufti [Muḥammad Fu'ād Shukrī, *Milal Dawlat Libya al-Ḥadītha: Wathā'iq Taḥririha wa Istiqlālīha* (Cairo: Maṭba'at al-'Itimād 1957), 2 vols., vol. 1, 870].

¹³ *Al-Jāmi'ā al-'Arabīyya*, 3 July 1932.

¹⁴ Al-Tha'ālibī, *Khālfiyyāt*, op. cit.

¹⁵ *Ibid.*, 154; see also pp. 37-38.

¹⁶ On al-Tha'ālibī's life, ideas and politics, see L. Carl Brown, "Stages in the Process of Changes," in Charles Micaud (ed.), *Tunisia, The Politics of Modernisation* (London: Pall Mall Press, 1964), 38-56; Khayr al-Dīn al-Zirkī, *al-'Ālam* (Beirut: Dār al-'Ilm lil-Malāyīn, 1989), vol. 4 12-3.

¹⁷ William Cleveland, *Islam Against the West: Shakīb Arslān And the Campaign for Islamic Nationalism* (Austin: University of Texas Press, 1985), 109-110; Shakīb Arslān, *al-Sayyid Rashīd Riḍā wa-Ṭḥa' al-'Arba'in Sana* (Damascus: Maṭba'at Ibn Zaydūn, 1937), 343 and 349.

towards claimants to the Caliphate in the 1920s. His prominent and ubiquitous contribution to pan-Arab and pan-Islamic politics occurred largely in the period between 1923-1937 while he was in exile from Tunisia. He became deeply involved in Palestinian politics, and was a declared opponent to Sharif Ḥusayn's and King Fu'ād's attempts to claim the prestigious seat of the Caliphate.

The importance of determining the roles of Shawkat 'Alī and al-Tha'libī is relevant to the verification of the controversy that surrounded the Caliphate question, which was rumored to have been on the agenda of the Congress, and which became the major obstacle in the way of attracting official representatives, especially in the case of Egypt, Turkey, and, perhaps, Saudi Arabia. Shawkat Alī's (and his late brother's) interest in the Caliphate was widely known. The Caliphate Movement of India, in which he was a prominent figure, had reached its apogee in the mid-1920s.¹⁸ During the following years, the 'Alī brothers were conspicuously active on the Islamic scene outside India—in Cairo, Mecca and Jerusalem—seeking a pan-Islamic role, and advocating their vision of the Caliphate. In contrast, al-Tha'libī was not particularly concerned about the Caliphate and its restoration to a particular ruler. He played a subversive part in the Cairo and Mecca Islamic Congresses, and had apparently expressed some liberal opinions on the future of the Caliphate, calling for a Pope-like role for the Caliph.¹⁹ Al-Tha'libī visited Jerusalem as early as 1924 in a mission of mediation between the mufti and his opponents, returned repeatedly, and met with the mufti during the latter's visits to Mecca and Cairo.²⁰ His acquaintance with the mufti coupled with his pan-Arab and pan-Islamic status placed him in an appropriate position to become the chairman of the Congress Preparatory Committee. Available sources are not decisive in confirming al-Tha'libī's primary role, although they cast shadows on the importance of Shawkat Alī's contribution to conceiving and preparing the Congress. Moreover, when the Caliphate controversy was blown out of proportion and began to jeopardize the course of preparations for the Congress, both al-Tha'libī and the mufti went out of their way to deny the existence of a hidden agenda for the Congress and to dislodge Shawkat 'Alī from his self-assumed role of leadership in the planning period.

¹⁸ Jacob Landau, *The Politics of Pan-Islamism: Ideology and Organization* (Oxford: Clarendon Press, 1990), 203-215.

¹⁹ In a letter from Muḥib al-Dīn al-Khaṭīb, 14 October 1931, to Ḥajj Amīn al-Ḥusaynī, included in al-Tha'libī, *Khaṭṭiyāt*, 219.

²⁰ Letters from Riḍā to Arslān dated 8 March Dhu al-Qa'dah 1342 AH (1924); 14 Rabī' al-Awal 1342 AH (1923); 22 Sha'bān 1342 AH (1924) in Shakīb Arslān, *al-Sayyid*, 333, 343 and 349 respectively; 'Ajāj Nwayḥīd to Nabīh al-'Azma, 9 July 1924, Nabīh al-'Azma Papers, England, University of Exeter Library, Arab Files, 509/9.

Following the burial of Muḥammad ʿAlī, Shawkat embarked on a speech-making tour in Palestine. The tour attracted the attention of the Criminal Investigation Department (CID) in Palestine which was involved in observing the political situation in the country. The CID considered the tour²¹ as a sign of the revival of pan-Islamism, and alleged that the Arab-Islamists were working "to run it on parallel lines with the pan-Arab movement... to give it an additional impetus in the Arab countries." The CID's report focused on two aspects of Shawkat Alī's speeches: a) the appeal to boycott European products, and, b) the revival of pan-Islamism. The call to boycott European products had been gathering momentum from early 1931, but it was not until 18 September, when a conference was held at the invitation of Nablus activists, that a national declaration for that purpose was publicly announced.²² As to the revival of pan-Islamism, Shawkat Alī's speeches included only one concrete proposition, the establishment of an Islamic University in Jerusalem.²³ No definite remark, on the part of Shawkat ʿAlī, referred to the projected Congress or called for the restoration of the Caliphate in Jerusalem.

Shawkat Alī's next stop was in Baghdad, from which he traveled to other Arab cities in a fund-raising tour for the Jerusalem University Project, which he envisioned on the model of the Aligarh Islamic University in India from which he had graduated. As for the Palestinians, the university project was in essence perceived in terms of a Palestinian-Islamic response to the Hebrew University.²⁴ Meanwhile, at the end of June, as the Palestinians were preparing for another historic funeral, that of King Ḥusayn bin ʿAlī, Ḥasan Hassūna, the Secretary of the YMMS of Ludd, published an open letter to the mufti calling for a pan-Islamic conference in Jerusalem to discuss the question of al-Burāq (the Western Wall dispute).²⁵ Hassūna's suggestion was to hold the conference on the Fortieth Day of King Ḥusayn's death, a traditional mourning day in some Arab regions. On 27 July, the SMC agreed, in a meeting presided over by Ḥajj Amīn, to hold a Muslim World Congress in Jerusalem, and decided to send letters of invitation to rulers of Muslim countries, to *ʿulamāʾ*, and to

²¹ Deputy Commandant, CID, to the Chief Secretary, *Weekly Appreciation Summary*, 18 February 1931, FO 141/763/495. See also: Shawkat ʿAlī to Lord Passfield, 14 February 1931, FO 371/15332/E 1514; *Filasṭīn*, 14 and 21 February 1931.

²² Kayyali, *Palestine*, 164-5.

²³ CID report of 18 February 1931 (note 21) did not even mention this proposal, however it was clearly mentioned in *al-Jāmiʿa al-ʿArabīyya* of 13 February 1931, which also indicated that funds were being raised for the International University.

²⁴ *Al-Jāmiʿa al-ʿArabīyya*, 13 February, and 9 November 1931.

²⁵ *Ibid.*, 28 June 1931. King Ḥusayn's body was laid in al-Ḥaram area, next to Muḥammad Alī's tomb, on 4 July 1931, Randall Baker, *King Hussain and the Kingdom of Hejaz* (Cambridge: The Oleander Press, 1979), 232.

political and religious bodies throughout the Muslim World.²⁶ By this time, the Palestinians were aware of the two major developments of the year, the "Black Letter" of February, and the Report of the International Committee on the Western Wall of June. Both developments, although contradictory in nature, proved that Ḥajj Amīn al-Ḥusaynī was right in suspecting British policies, and justified a firm Palestinian stand on the question of the Western Wall. Both of these developments also weakened the Palestinian opposition's prestige, as the CID's report specifically noted.²⁷

Significantly, British Intelligence reports on pan-Islamic activities in the Arab world during the spring of 1931 were devoid of any reference to any kind of Islamic Congress in Jerusalem. Comments by the Residency at Cairo on the Palestine CID's report attempted to minimize the dangers of pan-Islamism and underscored the fact that in "Arab-speaking countries there is a movement towards cultural unity, and... the desire for political unity is still strong."²⁸ The intelligence departments, however, were adamant that a "strong pan-Islamic Society" was being formed which included Shawkat 'Alī, 'Abd al-'Azīz al-Tha'ālībī, Shaykh al-Taftazānī, Shaykh 'Abd al-Wahāb al-Najjār, Moḥammad 'Alī (possibly M. A. 'Allūba), 'Abd al-Ḥamīd Sa'īd (the last four were from Egypt).²⁹ Ḥajj Amīn al-Ḥusaynī—according to the report—was to head the Palestinian branch of the society which was supported by the Hashemite family. The report added that "Jerusalem is chosen to be the centre of this movement with an Islamic University to which all Moslem countries will contribute." In May, Palestine Police reports extended the scope of this revolutionary pan-Islamic society even further as they indicated that Shakīb Arslān (not Shawkat 'Alī) was the leader of the pan-Islamic organization and that he was maintaining contacts with Arab nationalists in various parts of the Arab world and with activists in Islamic countries. Ḥajj Amīn and Shawkat 'Alī were prime associates in the scheme which included organizing gangs for guerilla operations in Syria and Palestine.³⁰ Notwithstanding the credibility of these reports, none made an allusion to an Islamic Congress in Jerusalem, or to a plan to restore the Caliphate, or bringing the exiled Ottoman Caliph into Jerusalem, although the project for establishing an Islamic University was now a matter of public record.

²⁶ *Al-Jāmi'ā al-'Arabīyya*, 7 September 1931. H. A. R. Gibb in his study of the Congress (The Islamic Congress, 100) wrote that the decision to hold the Jerusalem Congress was actually taken after June 1931.

²⁷ See note 21, and Gibb's analysis in *ibid.*

²⁸ R. H. Hoare to S. O. S., 27 February 1931, FO 141/763/495.

²⁹ Extract from Port Police, Port Said, No. COM/P/1(2), 14 February 1931, FO 141/763/495.

³⁰ CID, Palestine, report on "The pan-Islamic Arab Revolutionary Movement," 20 May 1931, CO 733/204; CO to FO, 11 June 1931, FO 371/15282/E 1205.

Preparations and Opposition

The Preparatory Committee had apparently decided at first on an early convening of the Congress. Thus, the first invitations,³¹ issued on 12 Rabi' al-Awal, 1350 AH (28 July 1931) specified the beginning of October for holding the Congress. Nonetheless, this letter of invitation does not seem to have been widely circulated, for it was the second invitation, issued on 22 Rabi' al-Thānī, 1350 AH (5 September 1931), indicating 7 December as the start of the Congress, which became widely available.³² Texts of both invitations were similar and written in general terms, stating the necessity to convene a General Islamic Congress in Jerusalem, "in order to deliberate the present conditions of Muslims, to secure the safety of the holy places... and (to discuss) other affairs concerning all Muslims." This generality and vagueness was to contribute to the efforts of opponents to encourage speculations over the Congress' nature and aims. The decision to postpone the Congress to December was taken, most probably, at the end of August during Shawkat Ali's stop in Palestine on his way to the Round Table Conference in London. It seems that this was the only occasion when 'Alī attended the Preparatory Committee meetings.³³ But once again, it was Shawkat 'Alī who conveyed the news of the new schedule to the public during the Friday Khutba at al-Aqṣā mosque on 11 September.³⁴ Ali's consistent determination to be identified with the planned congress would be another weak spot for the opponents to tackle.

The Preparatory Committee for the Congress was composed of sixteen members, 'Abd al-'Azīz al-Tha'libī was its chairman and Amīn al-Ḥusaynī his deputy. Other members, who were generally known to be supporters of the mufti, included Amīn al-Tamīmī (member of the SMC), 'Ajāj Nwayhid and Shaykh Ismā'il al-Ḥāfiẓ (of Lebanese origin!), Shaykh al-Muzaffar, and Shaykh Ḥasan Abu al-Sa'ūd (the Shāfi'ī mufti of Jerusalem).³⁵ But the Committee did not really engage itself in preparing for the organization of the Congress, the specific issues to be discussed in its meetings, and its basic document, until 18 September (6 Jamādī al-Awal), when it was decided that the Congress agenda would be focusing on the Western Wall question, the general Islamic situation in Palestine, and the issue of Islamic culture.³⁶ The plan for establishing an Islamic University in Jerusalem

³¹ A copy of which is in al-Tha'libī, *Khalīyyat*, 143.

³² See for example a copy with a private letter (dated 10 October 1931) in 'Abbās Ḥilmī Papers, Sudan Archive, England, Durham University, 125/14 & 125/15. The same version, sent to Rashīd Riḍā, was published in *al-Manār*, vol. 32, February 1932, pp. 117-118. Another identical copy is in Nabīh al-'Azma Papers, Palestine Files, 23/4.

³³ Nielsen, *The International Islamic Conference*, 342; al-Tha'libī, *Khalīyyat*, 38 and 83.

³⁴ *Al-Jāmi' al-'Arabīyya*, 6 September 1931.

³⁵ al-Tha'libī, *Khalīyyat*, 263.

³⁶ Minutes of the Preparatory Committee meetings of 18 and 20 September 1931, *ibid.*, pp. 256-265. Cf. Kupferschmidt, *The Supreme Muslim Council*, 199-200.

was considered a part of the last item. It must be recalled that a number of letters of invitation—the standard printed invitations—that had been sent out did not include such details. Some time later, the Congress' basic document was also completed. This document, which dealt with the Congress' organizational structure, finance, aims, name, center . . . etc. was prepared by al-Tha'libi.³⁷

Opposition to the Congress began in earnest by mid-September, 1931, and came from several circles, each with its own reasons.³⁸ The Zionists in Palestine saw in the Congress a dangerous escalation of the Muslims' support to the Palestinians. They first hoped that the British government would ban the Congress altogether, but when the British took a detached attitude, they began conspiring to create a controversial atmosphere in order to diminish participation in the Congress.³⁹ On 2 September, the Jewish Telegraphic Agency made a report from London that might have been the spark that ignited the Caliphate controversy which troubled the Congress organizers for several weeks to come.⁴⁰ The report, indicated that "Shawkat 'Alī . . . is putting forward a scheme for the restoration of the Caliphate under the ex-Sultan of Turkey, with its seat in Jerusalem, it is stated here (London) in Moslem circles." The report was of course fabricated; 'Alī was by then in Palestine—not in London—and though his position in the Caliphate Committee of India, and his sympathy with the exiled Ottomans were well known, he made no attempt to use the proposed Congress for reviving the debate over the Caliphate question.⁴¹ In

³⁷ This was unequivocally stated in a letter from Amin al-Husayni to Shawkat 'Alī (London) on 31 October 1931 (Al-'Azma Papers, Palestine Files, 25/4). An English version of the Draft Organic Law is included in CO to FO, 5 January 1932, FO 371/16009/E 87 (Enclosure to dispatch B dated 11 December 1931).

³⁸ Kupferschmidt (*The Supreme Muslim Council*, 198) wrongly stated that "The Caliphate question, together with the project to found a Muslim University in Jerusalem compelled Hajj Amin to pay an urgent visit to Egypt in order to soothe high-running feeling". It is understood from Kupferschmidt's reference to this passage (note 48 of the same page) that he meant the mufti's visit to Cairo of March 1931. In fact, at that time of 1931, and for several months to come, there was no negative reactions in Cairo to the projected Congress or the plan to establish an Islamic university in Jerusalem. Moreover, neither the Caliphate issue was raised nor was it mentioned in connection with the Congress. The British Intelligence Report from Cairo entitled "Pan-Islamic and pan-Arab Activities", McSweeney (CO) to Mr. Selby, 30 March 1931, FO 371/15326/E 1713, concerning a private conversation between the mufti and a friend in Cairo on 18 March (which was cited by Kupferschmidt) made no reference whatsoever to the Caliphate question, to an Egyptian opposition to the University, to the Congress or to the restoration of the Caliphate.

³⁹ Taysir Jbara, *Palestinian Leader: Hajj Amin al-Husayni, Mufti of Jerusalem* (Princeton: The Kingston Press, 1985), 108; Kramer, *Islam Assembled*, 126. Both of these authors relied on the Zionist Archive material to document their conclusions.

⁴⁰ Jewish Telegraphic Agency, 2 September 1931, London, "Caliphate to be re-established with Seat in Jerusalem", FO 371/15332/E 4757.

⁴¹ Cf. Thomas Mayer, "Egypt and the General Islamic Conference of Jerusalem in 1931," *Middle Eastern Studies* 18 (1982), 311. Mayer's statement that "Shawkat hoped to turn Jerusalem into the new Islamic center where the future Caliph would be nominated" is misleading. Mayer

reality, by the late 1920s, the whole matter of the Caliphate's future was dying out and most of the pan-Islamic leaders in various parts of the world were engaged in a reorganized agenda. But for the Zionists, 'Alī and the Indian Muslims were increasingly seen as a source of too much support for the Palestinians and the mufti. Attempts to win the 'Alī brothers over to the Zionist side were unrelenting.⁴² And, as Zionist apprehension towards the convocation of the Congress intensified, Dr. Brodetsky of the Jewish Agency indicated in a talk with a British official that one of the Zionist aims was to "detach Shawkat 'Alī from the movement."⁴³

Until the autumn of 1931 and the distribution of the Jewish Telegraphic Agency's report, no opposition to the Congress was recorded in Egypt.⁴⁴ The weight of Egypt, being the centre of Arab and Islamic cultural life and the most powerful of Palestine's neighboring countries, made it a very important target on the mufti's list of participants. Invitations to the Congress were sent to nonofficial as well as to official and semi-official figures. When Egyptian official circles' discomfort became clear in October, the organizers in Jerusalem had to take notice.⁴⁵ The contentious issues on which Cairo apparently focused were: a) the Caliphate question and whether the Congress would discuss restoring the Caliphate to the deposed Ottoman Sultan, a matter that was of major concern to King Fu'ād who was among the claimants for the prestigious seat; b) whether

cited only one reference (note 3, P. 320) related to events of 1931 to support his statement (Note of the Interview of Shawkat 'Alī with High Commissioner, 10 February 1931, FO 371/15332/E 1514). The truth is that during this interview with the HC, Shawkat 'Alī mentioned neither the Congress nor the Caliphate question. This also goes to 'Alī's interview with the HC on 28 January 1931, a report on which included in the above-mentioned FO's files. 'Alī in fact denied the Jewish Agency's report in an interview with Reuters in Jerusalem (see al-Tha'libī, *Khalīyyāt*, 34).

⁴² See for example Shawkat 'Alī's side of the story of the Zionist attempts in his interview with the HC in the FO's file indicated above (note 41). See also 'Alī interview with Munif al-Ḥusaynī, the editor, *al-Jāmi' al-'Arabiyya*, 6 December 1931.

⁴³ Mr. Rendel's Report on the effort of Dr. Brodetsky against the Congress, 17 September 1931, FO 371/15332/E 4757. This continuous activity on part of the Zionist elements to impair the preparations for the Congress might justify the mufti's and al-Tha'libī's claims that Zionist hostilities were the main source of the troubles that the Congress encountered before being held, see *al-Jāmi' al-'Arabiyya*, 6 November 1931; Muḥammad Amin al-Ḥusaynī, *Ḥaqā'iq an Qadiyyat Filastīn* (Cairo: Maktab al-Hay'a al-'Arabiyya al-'Uliya, 1954), 183; al-Tha'libī, *Khalīyyāt*, 32.

⁴⁴ Actually, until June of 1931 not even an Egyptian opposition to the University project was reported. Sir P. Loraine, writing from Cairo to L. Oliphant in London on 12 June 1931 (FO 371/15282/E 3355) stated that Rashīd Riḍā was attempting to recruit Egyptian Azharite *ulama'* for the planned university in Jerusalem. He also expressed the belief that Riḍā would succeed since the Azharites were beginning to suffer an increasing rate of unemployment.

⁴⁵ On the beginning of opposition to the Congress in Cairo see for example: *Al-Muqattam*, 18, 23, October 1931; *al-Ahrām* 20, 23 October 1931; *Nūr al-Islām*, vol. 2, October-November 1931, p. 464; Al-Tha'libī's letter from Cairo to Amin al-Ḥusaynī, 21 October 1931; Mirza Mahdī Rafī Mashkī's letter from Cairo to Amin al-Ḥusaynī, 17 October 1931; Muḥammad 'Alī 'Allūba's letter from Cairo to Amin al-Ḥusaynī, 18 October 1931 (all in al-Tha'libī, *Khalīyyāt*, 154-83).

the projected University in Jerusalem was planned to compete with al-Azhar, and c) the extent to which the Congress would become a stage for the Egyptian opposition's anti-government propaganda. Not surprisingly, those who would express disapproval of the Congress were primarily the Sidqi government, the Palace and Shaykh al-Azhar. But later, even the anti-government Wafdist and Liberal-Constitutionalist circles began to express some doubts, since neither was particularly keen on identifying with an event that appeared detrimental to Egypt's national interests. To assess the nature of the Egyptian reaction to the Congress, it is not enough to refer to the Zionist counter-activities—however serious they were—but one should also gaze into the political situation in Egypt at that particular juncture.

The Egypt of 1931 lived under the heavy-handed policies of Sidqi's pro-Palace and pro-British government which, following the failure of the Egyptian-British negotiations, replaced the Wafd's short rule of 1930. Sidqi dissolved the Parliament and abrogated the Constitution of 1923. His term in office, which lasted until the autumn of 1935, was characterized by an open confrontation with the Wafd and the Liberal-Constitutionalist parties.⁴⁶ The year 1931 witnessed the most severe and contentious episodes of that confrontation. Sidqi's appointment came in the wake of another conservative, pro-Palace coup in Egypt's public life, namely the dismissal of Muḥammad 'Abdu's student, Shaykh Muḥammad Muṣṭafa al-Marāghī (1881-1945) from the rectorship of al-Azhar in October 1929 and the installation of the conservative Shaykh al-Ahmadi al-Zawāhīrī.⁴⁷ Al-Marāghī, who would make a powerful comeback during Fārūq's reign and reoccupy the seat of rectorship of al-Azhar, was a reformist who enjoyed good relations with the Liberal-Constitutionalist Party. Al-Zawāhīrī, in contrast, was the Palace nominee, with whom Fu'ād placed the task of abolishing al-Marāghī's sponsored bill to reform the organization and system of teaching at al-Azhar. Not surprisingly, therefore, the King, the Prime Minister and Shaykh al-Azhar were virtually in alliance.

On 19 October, the mufti denied, in a statement to *al-Ahrām*, that the Congress would deliberate the Caliphate question, describing such rumors as "Zionist propaganda." Nevertheless, the Egyptian pro-British *al-Muqattam*, whose correspondent in Jerusalem was Shakīb al-Nashāshībī, a member of the family that rivalled the Ḥusaynis, ignored the mufti's statement and insisted that the Caliphate was central to the Congress plan.⁴⁸

⁴⁶ For intimate details of the period see Muḥammad Ḥusayn Haykal, *Mudhakkirāt fī al-Siyāsa al-Miṣriyya* (Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1951), vol. 1, 259-91.

⁴⁷ Elie Kedourie, *The Chatham House Version and other Middle-Eastern Studies* (New York: Praeger Publishers, 1970), 178.

⁴⁸ *Al-Muqattam*, 23 October 1931.

Al-Thaʿālibī was, in late October, dispatched to Cairo in an attempt to assess and contain the damage that had been directed to the project in Egypt. He used *al-Muqattam* itself to stress the main themes of the Congress, namely the protection of the Islamic holy sites in Palestine and the establishment of a cultural and educational institution. He also underscored the minimum role that Shawkat ʿAlī played in the preparations for the Congress.⁴⁹ The Preparatory Committee published an official statement to clarify its position,⁵⁰ and supporters of the Congress in Egypt began to fight back.⁵¹ More important were the two meetings that al-Thaʿālibī held with Shaykh al-Azhar and the Prime Minister, only a few days before the arrival of Amīn al-Ḥusaynī to Cairo.⁵² Shaykh al-Zawāhīrī raised two important complaints: (1) the Preparatory Committee did not invite al-Azhar to participate in planning for the Congress; and (2) the Caliphate issue "which is of deep concern to higher people [i. e. the King]" had been scheduled to be discussed. Al-Thaʿālibī vigorously denied the second charge, explained the nature of the Preparatory Committee activities for which he saw that there was no need to call for external assistance, and attacked al-Azhar's unjustified position and campaign against the Congress. Al-Zawāhīrī, showing a degree of understanding, promised to call off the anti-Congress campaign and asked for a new start.

The meeting with the Prime Minister was stormy and confrontational. Organized and witnessed by the YMMS President, ʿAbd al-Ḥamīd Saʿīd, it began with Ismāʿīl Sidqī pointing to the plan for establishing an Islamic University in Jerusalem as being a challenge to al-Azhar's authority. After he was answered back and realized the determination of the organizers to hold the Congress on time, he put forward four conditions for official Egypt's participation: a) an absolute denial from the organizers that the Caliphate question would be discussed; b) the avoidance of any criticism of al-Azhar; c) avoidance of any involvement in Egyptian political affairs; d) appointment of two Egyptian members to the Preparatory Committee (presumably nominated by the government). The meeting ended with al-Thaʿālibī promising to discuss Sidqī's demands with the mufti, upon the latter's arrival in Egypt on the same evening.

⁴⁹ *Ibid.*, 24 October 1931. Al-Thaʿālibī of course was to be followed with the mufti and Shaykh ʿAbd al-Qādir al-Muzaffar, *al-Jāmiʿ al-ʿArabīyya*, 5 November 1931.

⁵⁰ The Preparatory Committee's statement of 27 October 1931 was published in *al-Jāmiʿ al-ʿArabīyya*, 29 October 1931.

⁵¹ See for example ʿAlī ʿAbd al-Rāziq in *al-Siyāsa*, 26 October 1931; Muḥammad ʿAlī al-Ṭāhīr, *al-Muqattam*, 25 November 1931. Others included ʿAbbās al-ʿAqqād, Muḥib al-Dīn al-Khaṭīb, Muḥammad Tawfiq Diyāb and Samī al-Sarrāj, see *al-Jāmiʿ al-ʿArabīyya*, 11 November 1931; al-Thaʿālibī, *al-Khalīyyāt*, 49-62, 125-134.

⁵² Al-Thaʿālibī's version of the two meetings is in *ibid.*, 68-72 and 73-79.

Sidqi's real concern was obviously the use which the Egyptian opposition would make of the Congress. During the 1920s, Amīn al-Ḥusaynī cultivated powerful links with the Eastern Bond Society (mostly Liberal Constitutionalists), with members of the Wafd, and with distinguished figures like Prince 'Umar Tusun. The Palace or the Prime Minister were not favorably disposed to such quarters. It is also pertinent to recall that it was the Palestinian opposition, rather than the mufti, which was highly represented in the Cairo Caliphate Congress of 1926, while the mufti was an active participant in the Mecca Congress of the same year. On the other hand, Egypt's fear of Shawkat Alī's role might have been exaggerated. If not on the specifics of the Caliphate, at least on the Fu'ād-Ibn Sa'ūd rivalry, Shawkat 'Alī had been reportedly won over by the Egyptians.⁵³

The mufti's arrival in Cairo occasioned his immediate and wide access to the Egyptian media by means of which he was able to dispel the rumors and misunderstandings that engulfed the preparations for the Congress.⁵⁴ He met with Ismā'il Sidqi and gave assurances to Sidqi's major concerns (except on the demand for including two Egyptians in the Preparatory Committee) and then reiterated his promises in a letter to the Prime Minister.⁵⁵ Subsequently, Shaykh al-Azhar received the mufti and the pro-government anti-Congress campaign seemingly subsided.⁵⁶ But as the opening date approached, Sidqi ordered that Egyptian civil servants should not be permitted to attend, and al-Zawāhīrī's camp of *ulamā'* did not participate either.⁵⁷ The damage between official Egypt and the Congress organizers had already been done, and the rift between them was further deepened by the warm reception that the mufti was granted by the Wafd's leadership, headed by al-Naḥḥās.⁵⁸ In the event, even al-Naḥḥās and most of the other top leaders from the opposition refrained from participating, although the Wafd's leader made the second largest donation to the Con-

⁵³ 'Alī was given a donation of 10,000 pounds from King Fu'ād, which might explain Alī's attack on Ibn Sa'ūd, according to a British Official view of things, see The Residency, Cairo to London, 27 February 1931, FO 141/763/495.

⁵⁴ See for example, *al-Ahrām* and *al-Muqattam*, 6, 7 and 8 November 1931; *al-Jāmi'ā al-'Arabīyya*, 9 and 11 November 1931; al-Tha'libī, *Khalīyyāt*, 81-88.

⁵⁵ *Al-Ahrām*, 9 November 1931; al-Tha'libī, *ibid.*, 88-89.

⁵⁶ *Al-Jāmi'ā al-'Arabīyya*, 11 and 12 November 1931; Mayer, Egypt, 314; al-Tha'libī, *Khalīyyāt*, 89; Ralph M. Coury, "Egyptians in Jerusalem: Their Role in the General Islamic Conference of 1931," *The Muslim World*, 82, 1-2 (January-April 1992), 39. Shaykh al-Muzaffar, who arrived with the mufti remained in Egypt, to secure further support, until 20 November, see *al-Jāmi'ā al-'Arabīyya*, 22 November 1931.

⁵⁷ *Al-Ahrām*, 2 December 1931. Other *ulamā'*, however, participated, such as Shaykh 'Abd al-Laṭīf Draz, Shaykh 'Abd al-Wahāb al-Najjār and Shaykh Muḥammad al-Makki, who were all associated with YMMS; Shaykh Muḥammad Sa'īd Darwīsh, and Shaykh of the Ghunaymiyya Sufi Order, Muḥammad al-Ghunaymi al-Taftazānī (Kupferschmidt, *The Supreme Muslim Council*, 269).

⁵⁸ A distinguished Wafd delegation led by al-Naḥḥās visited the mufti in Cairo and assured him of their full support, *al-Jāmi'ā al-'Arabīyya*, 8 and 9 November 1931.

gress and the Wafd was represented by 'Abd al-Raḥmān 'Azzām.⁵⁹ Muḥammad 'Alī 'Allūba Pasha, a member of the Liberal Constitutionalist leadership and former minister of Waqf, and a large delegation from the YMMS, led by 'Abd al-Ḥamīd Sa'īd (who was considered a government and Palace loyalist) also attended.⁶⁰ The Egyptian opposition, due to the protracted controversy, either chose to be circumspect or were responding to another letter that the mufti had sent, to no avail, to Ismā'īl Sidqī.⁶¹ At any rate, nonofficial Egypt was impressively represented and—as we shall see—the political conflict ensuing in Egypt was soon reflected in the Congress and in relations between various Egyptian participants.

The third quarter from which effort was directed against the Congress was the Palestinian opposition, including the Nashashibists and their allies, as well as Shaykh Muḥī al-Dīn 'Abd al-Shāfi, and 'Abd al-Raḥmān al-Tajī al-Fārūqī of the SMC. During the 1920s, members of the Nashāshībī family established a good working, though secretive, relationship with the Jewish Agency in Palestine. Increasingly, the two parties became deeply involved in their opposition to, and apprehension over, the rise of Amīn al-Ḥusaynī. For the Palestinian opposition—as was the case for the Zionists—holding a successful Islamic Congress in Jerusalem would further the prestige of the mufti, internally and externally, and make it more difficult to undermine his leadership. Hence, and perhaps encouraged by signs of inimical Zionist activities against the Congress and the widening controversy over its agenda in Cairo, Fakhrī al-Nashāshībī, a cousin and right-hand of Rāghīb al-Nashāshībī, head of the opposition, travelled to Egypt on 20 October. According to al-Tha'ālībī, Fakhrī unsuccessfully attempted to organize an anti-Congress working group and made contacts with Zionist circles in Egypt.⁶² He returned to Cairo on 13 November, just as the mufti was preparing to head back to Jerusalem. Although the pro-mufti Egyptian press published some highly discrediting materials on Fakhrī's Zionist links,⁶³ on this occasion Fakhrī succeeded in impressing upon 'Allūba and 'Abd al-Ḥamīd Sa'īd the Palestinian opposition's view that the mufti had premeditatedly excluded them from preparations for the Congress. Sa'īd subsequently travelled to Jerusalem but failed to reach a satisfactory solution.⁶⁴ The pressure on the mufti arose not only from his Egyptian allies but also from inside Palestine. His opponents

⁵⁹ Al-Naḥḥās made a donation of 204 pounds; the first largest donation was also contributed by an Egyptian (Tha'ālībī, *Khulāṣat*, 333-334).

⁶⁰ *Al-Jum'ī'a al-'Arabīyya*, 7, 9, 10, 13, 15 and 18 December 1931.

⁶¹ Mayer, *Egypt*, 315.

⁶² Al-Tha'ālībī, *Khulāṣat*, 90-91. Al-Nashashībī's machinations in Egypt was supported by other opponents of the mufti, most notably Shaykh Aṣ'ad al-Shuqayrī, *Al-Jum'ī'a al-'Arabīyya*, 8 November 1931.

⁶³ *Al-Jihād*, 17 November 1931.

⁶⁴ *Filastīn*, 19, 22, 24, 25, and 26 November 1931; Mayer, *Egypt*, 315.

succeeded in holding a meeting on 13 November, which concluded with issuing a statement criticizing the mufti for not consulting "figures of opinion and stature" or inviting them to participate.⁶⁵ The Preparatory Committee, responding to the pressure, deliberated the Palestinian participation in the Congress on 26 November and announced a list that included representatives of various social and political forces, including Rāghib al-Nashāshībī;⁶⁶ however, the proposed list was effectively dominated by mufti's supporters and members of the nationalist side in general. By the standards of the Palestinian political balance of the time, in which the pro-Nashāshībī camp was becoming increasingly marginalized, the list was a fair reflection of reality.

Further attempts by ʿAbd al-Ḥamīd Saʿīd, Shawkat ʿAlī and Rashīd Riḍā to mediate a solution between the mufti and his opponents completely failed.⁶⁷ Rāghib al-Nashāshībī and his group boycotted the Congress and went all the way to convene a rival meeting under his presidency. This meeting was designated the "Congress of the Palestine Muslim Nation,"⁶⁸ and was meant to divert attention from the main event, to display the strength of the Nashashibists, and to express lack of confidence in the mufti. For all intents and purposes, it failed to impair the course of the main Congress and, paradoxically, may well have further intensified the isolation of the opposition and deepened the belief in their identification with the Zionist circles.⁶⁹ On the other hand, the Palestinian delegation to the Congress, which included at least 35 members, was joined by the distinguished man of letters Isʿāf al-Nashāshībī, a cousin of Rāghib, as well as Aḥmad Ḥilmī, Amīn ʿAbd al-Hādī, Rāghib Pasha al-Dajānī and several of the future founders of the Istiqlāl Party; none of whom, by any means, could possibly be considered "yes-men" of the mufti.

Obstacles on the road to the Congress arose not only from the familiar quarters of the Jewish Agency or the Palestinian opposition, for as the Caliphate controversy was blown out of proportion in Egypt, the Hashemites in Amman and Baghdad also required some assurances. This

⁶⁵ Al-Thaʿalibi, *Khalīfiyyāt*, 112-13. The anti-Congress proclamation was published in the oppositions paper *al-Ṣirāt al-Mustaḡīm*, 23 November 1931. A copy of that proclamation entitled "Ḥawl al-Muʿtamar fī Laylat al-Mitrāj" is in the SMC file; Archive of the Arab Studies Society, Jerusalem. This copy is undated but was presumably prepared some time between 13-23 November 1931.

⁶⁶ *Al-Jāmiʿa al-ʿArabiyya*, 4 December 1931.

⁶⁷ *Al-Muqattam*, 18 December 1931; *al-Manār*, vol. 32, 1932, pp 128-132; Nielsen, *The International Islamic Conference*, 340-54; Kramer, *Islam Assembled*, 127.

⁶⁸ *Al-Jāmiʿa al-ʿArabiyya*, 13 December 1931.

⁶⁹ Darwaza, *Ḥawl al-Ḥaraka*, vol. 1, 81. On the other hand pro-mufti circles across the country were flooding newspapers with their telegrams of support, see for instance, *al-Jāmiʿa al-ʿArabiyya*, 6 and 7 of December 1931.

was undertaken by a visit the mufti made to Amman.⁷⁰ The Saudis' suspicions, however, were more difficult to assuage. And this was where rumors of Shawkat Ali's overestimated role were most harmful. The Saudi encounter with the Indian Muslim delegation at the Congress of Mecca in 1926 was a negative experience which has marked relations between the two sides with mistrust and reproach ever since. To cause those relations to deteriorate even further, Shawkat 'Ali repeatedly attacked the Saudi monarch during 1931 as a result of a deal he had apparently struck with the Egyptians. Ibn Sa'ūd claimed, belatedly, that the Congress' invitation had not been received in time for him to join; and news was circulated that he appointed an official representative to the Congress, but this also proved to be untrue.⁷¹ If the mufti had really hoped for the participation of a Muslim ruler, it would have been Ibn Sa'ūd. The Saudi King had emerged since the mid-1920s as a powerful ally of the Arab-Islamists, from al-Quwwatī in Damascus to Riḍā in Cairo, and from al-Ḥusaynī in Jerusalem to Arslān in Geneva. The Jerusalem Congress was, after all, a manifestation of the Arab-Islamists' power and influence in the Arab world.

International repercussions to the Congress were properly directed at the British authorities. As the convening of the Congress had been confirmed and the atmosphere of squabbling intensified, other apprehensive parties were to emerge. Turkey was alarmed over the possibility of inviting the ex-Caliph from his exile in France to Jerusalem, while the Italians, whose atrocities in Tripoli inflamed Muslim public opinion, threw their weight with Britain against the Congress.⁷² The Yugoslav government, of which several Bosnians were to attend the Congress, also enquired about the organizers through its embassy in London. The Egyptians too were knocking on British doors, exploring the British attitudes and whether London or its officials in Palestine were rendering any support to the Congress.⁷³ While the Colonial Office's first response was that of "complete detachment," it sought to ensure that the "Congress activities are subject to international relations of the Mandatory."⁷⁴ On the other hand, Foreign Office officials, fearful of any disruption on the international front, were pressing to ban the Congress altogether. Eventually, the Foreign Office had to accept the line adopted by the Colonial Office and its officials in Palestine, as the latter argued that a British decision to stop the Congress would "precipitate disorder (in Palestine) possibly even on the scale of an

⁷⁰ Kramer, *Islam Assembled*, 129.

⁷¹ *Ibid.*; *al-Jāmi'a al-Arabiyya*, 26 November 1931; Gibb, *The Islamic Congress*, 103.

⁷² *Ibid.*, 102; Kupferschmidt, *The Supreme Muslim Council*, 200-201; Kramer, *Islam Assembled*, 130-31.

⁷³ Mr. Campbell, Cairo to London, 28 October 1931, FO 371/15282/E 5382; Report from Mr. Rendel on a conversation with an Egyptian minister, 4 November 1931, FO 371/15282/E 5495.

⁷⁴ CO to Cairo, 3 November 1931, FO 371/15282/E 5489.

'Arab rebellion."⁷⁵ The HC in Palestine, who was not in favor of prohibiting the meeting, maintained constant contact with the mufti to ensure that the Congress was not to be turned into an inflammatory political occasion. Given the very nature of the Palestinian problem, this, of course, was an impossible task to accomplish.

Participants and Proceedings

Considering the immense tribulations, postponements and uncertainty that the project had to face during the preparatory period, the representativeness, number and stature of participants were undoubtedly impressive. The attendance of 145 personalities from various parts of the Muslim world was far more than the Cairo and Mecca Congresses put together.⁷⁶ The Egyptian delegation included 25 members (counted amongst them were Muḥammad 'Alī al-Ṭāhir, who was a Palestinian living in Cairo as well as Rashīd Riḍā), among them was the Wafdist 'Abd al-Raḥmān 'Azzām, who was later to become the first Secretary General of the Arab League. Arriving in Palestine, 'Azzām had already behind him a distinguished career in Arab-Islamic politics, the Ottoman war effort, and the Libyan anti-Italian struggle during and after the end of World War I.⁷⁷ After the demise of the Ottomans and the subsequent defeat of the Libyan resistance, he returned to Egypt as a hero in 1922 and shortly afterwards joined the Wafd. 'Azzām's association with the Wafd provided him with a great opportunity to defend Arab and Islamic causes in Egypt. He became an advocate of the Libyan refugees' plight, put the Syrian revolt on the Wafd's agenda, and maintained firm links with the Arab-Islamic circles in Egypt and abroad.⁷⁸

The opening session of the Congress was perhaps purposefully held at al-Aqṣā mosque. After Amīn al-Ḥusaynī's welcoming speech, other speakers of different nationalities were given the minbar, and since the Egypt-

⁷⁵ On the FO views see Minute of the 16 November 1931 meeting, FO 371/15282/E 5711; On the CO assessment of the situation in Palestine see O.G.R. Williams' note, 17 November 1931, FO 733/51/89205.

⁷⁶ HC to S.O.S. for Colonies, 24 December 1931, FO 371/16009/E 753. Kupferschmidt, (The Supreme Muslim Council, 205) quoting Dutch sources, put the number at 133; Nwayhiḍ (*Riḍā*, 75) mentioned the figure of 150 personalities from 22 countries.

⁷⁷ On his early life see 'Abd al-Raḥmān 'Azzām, "Abd al-Raḥmān 'Azzām and the Formation of the Arab League", Ph.D. Thesis, Oxford University, 1995. On his political life after returning to Egypt in 1922 see Ralph Moses Coury, "Abd al-Raḥmān 'Azzām and the Development of Egyptian Arab Nationalism," Ph.D. dissertation, (Princeton University, 1984). A sketchy argumented biography of 'Azzām is in Jamil Arif, *'Abd al-Raḥmān 'Azzām: Salāḥāt min al-Sudhakkirāt al-Sirriyya li-'Awal 'Amīn 'Am lil-Jāmi'a al-'Arabiyya* (Cairo: al-Maktab al-Misri al-Ḥadīth, n.d.).

⁷⁸ Muḥammad 'Alī al-Ṭāhir, *Muṭa'al al-Ḥaykstib: Mudhakkirāt wa Mufakkirāt* (Cairo: al-Maktaba al-'Alamiyya, 1950), 573-598; Arslān, *al-Sayyid*, 591.

tian delegation was obviously divided, both 'Abd al-Ḥamīd Sa'īd and 'Azzām were introduced to speak. While 'Azzām was extending the greetings of al-Naḥḥās and his prayers for the meeting's success, he was interrupted by Sulaymān Fawzi, the pro-Sidqi editor of *al-Kashkūl*.⁷⁹ Fawzi, demonstrating his loyalties, shouted "Who is al-Naḥḥās? We don't know him." A chaotic scene developed whereby Fawzi was delivered by M. A. al-Ṭāhir from being attacked by the Jordanian delegate, Ḥamīd Pasha bin Jazi. An order had been restored and 'Azzām resumed his speech, he was again shouted at by Muḥammad al-Ṣubāḥī, a reporter for the pro-Egyptian government *al-Sha'ab*. This time, al-Ṣubāḥī had to be protected by the mufti. The two incidents secured 'Azzām's position in the Conference and emphasized the split in the Egyptian camp. There should be no doubt about the side to which the mufti tilted. Throughout the confrontation in Egypt between supporters and opponents of the Congress, 'Abd al-Ḥamīd Sa'īd, President of the YMMS showed a great willingness to play a mediator role between the mufti and Ismā'il Sidqi. However, until his last visit to Jerusalem in late November he was more eager to protect Sidqi's interests than to stand by the Congress.⁸⁰ Moreover, Sa'īd and Shawkat 'Alī, even as the Congress was being opened, were ardently insisting on the participation of the Palestinian opposition, blaming the mufti's intransigence for the Palestinian rift. As a result, during most of the Congress proceedings Sa'īd, many of the YMMS delegation, al-Taftazānī and al-Ṣubāḥī sat together and voted as one block with support from Shawkat 'Alī. Other Egyptian participants were more relaxed. They associated freely with other delegates and for the most part sided with the mufti.⁸¹

The second session, where nominations for the Presidency and Committee members were conducted, revealed the direction of the Congress and the weakness of Shawkat 'Alī and the Egyptian pro-government block. Ḥajj Amīn al-Ḥusaynī was elected President and subsequently appointed four deputies, including the distinguished Indian poet and reformist Muḥammad Iqbāl, the representative of the Yemeni ruler—the only official representative—Muḥammad Zubāra, the former Iranian Prime Minister, Diyā al-Dīn al-Ṭabaṭbā'ī, and the former minister of Awqāf of Egypt M. A. 'Allūba.⁸² Amid the wide approval of the participants, protestation from Shawkat 'Alī and Sa'īd went largely unnoticed. 'Azzām was elected a member of the Fundamental Law Committee, which was entrusted with

⁷⁹ Al-Ṭāhir, *Mu'ṣaqal*, 582; Coury, *Egyptians*, 42-3; FO 371/16009/E 753 *op. cit.*

⁸⁰ Mayer, *Egypt*, 315, and 317 where it was stated that Sa'īd and his associates were paid by Sidqi for their defence of the government's opinion during the Congress.

⁸¹ Coury, *Egyptians*, 41; al-Ṭāhir, *Mu'ṣaqal al-Ḥaykstib*, 191.

⁸² Al-Ṭāhir, *Mu'ṣaqal*, 190-192; FO (371/16009...) reported that elections for office holder were apparently arranged between the mufti's followers and his supporters among the Syrian Istiqlalists.

Drafting a constitution for the Permanent Congress. In the concluding session, an Executive Committee for the Permanent Congress was elected. Although Shawkat's name was among its list of 25 members, Sa'īd and his associates were conspicuously absent.⁸³ 'Azzām, who had earlier been reported from Palestine, received more than 80 votes and was thus confirmed as a member.

There were strong and large delegations from trans-Jordan, Lebanon and Syria, including mayors, tribal shaykhs and community leaders from various Jordanian cities; Riyād al-Ṣulḥ, the Istiqlalist and future Prime Minister of Lebanon; Shukrī al-Quwwatli, another influential Istiqlalist and future President of Syria and Nabīh al-ʿAzma, the staunch Syrian Arabist who was still living in exile in Palestine. Shakīb Arslān, who was regarded as a godfather by many young Arab-Islamists, was still under a ban from entering areas ruled by British or French authorities.⁸⁴ ʿĀmir Muḥammad Sa'īd al-Jazā'irī (1881-1970) the grandson of the great Algerian resistance leader,⁸⁵ who was a prominent notable of Damascus and head of the Society for the Defence of the Ḥijāz Railway, was a member of the Syrian Delegation. His attendance was also a sign of reconciliation since his anti-Fayṣal role in 1919-1920 in Damascus made him a rival of the Arabist camp which constituted the backbone of the Conference.

The influence of the Syrian delegation and the recent provocative step by the French in seizing the Damascus station premises added the Ḥijāz railway issue to the Congress agenda. 'Azzām and the Palestinians, Shaykh ʿAbd al-Qādir al-Muzaffar and M. A. al-Ṭāhir were the most outspoken in indicating that the railway was essentially a Muslim waqf, constructed with Muslims' funds collected world wide.⁸⁶ ʿĀmir M. S. al-Jazā'irī was made chairman of the Railway Committee and Aḥmad Ḥilmī Pasha his deputy. Their report stressed the point that "the line was originally Islamic waqf and recommended to the Congress that active steps should be taken to restore it to the Muslims and place it under the supervision of an Islamic Commission."⁸⁷ These recommendations were subsequently included in the Congress final resolutions.

The Iraqi delegation, which included 10 members, attracted the attention of a discerning observer of the event.⁸⁸ The particular importance

⁸³ *Muqararāt al-Muḥamar al-Islāmī al-ʿĀm, Jerusalem*, (1932?), ʿAbbās Ḥilmī Papers, no. 15; *al-Jāmiʿ al-ʿArabīyya*, 18 December 1931; al-Thaʿālībī, *Khallīyyāt*, 360-363.

⁸⁴ Al-Ṭāhir, *Muṣaḥḥ al-Ḥayāt*, 553 stated that Arslān, al-Quwwatli, al-Thaʿālībī and himself were instrumental in bringing the Congress about.

⁸⁵ On his biography see Muḥammad ʿAbd al-Laṭīf Ṣāliḥ Farfūr, *ʿĀm Dimashq fī al-Qarn al-ʿabī ʿAshar al-Ḥijrī* (Damascus: Dār al-Mallāh and Dār Ḥassān, 1987), 268.

⁸⁶ FO 371/16009... (*op. cit.*); *al-Jāmiʿ al-ʿArabīyya*, 9 and 10 December 1931; Nielsen, *The International Islamic Conference*, 347.

⁸⁷ *Ibid.*; *Muqararāt*... , p. 17.

⁸⁸ Gibb, *The Islamic Congress*, 101-102.

of the Iraqi group was the participation of the most distinguished Shīʿī mujtahid of his time, Muḥammad Ḥusayn Kāshif al-Ghiṭāʾ (1878-1954).⁸⁹ His invitation was a significant leap in the effort to re-establish the concept of one Muslim umma. Kāshif al-Ghiṭāʾ's credentials made him the best candidate for such a gathering; among the scores of Arab-Islamists with Ottoman and anti-colonialist background he was in a familiar milieu. Like his father, also a distinguished *ʿālim*, he visited many Arab countries, including Egypt where he spoke at al-Azhar, the centre of Sunni learning. On the eve of World War I, he became involved with the Arab movement and had contacts with ʿAbd al-Ghani al-ʿUraysī, (one of al-Fatat's founders), and ʿAbd al-Karīm al-Khalīl of the Arab Forum. During the war years, he fought against the British army in Iraq and became active in Iraq's national movement for independence, to which the Shīʿī *ʿulamā* made a substantial contribution. Kāshif al-Ghiṭāʾ's day of departure to Jerusalem was celebrated in al-Najaf as a great occasion during which a motorcade of more than thirty cars accompanied him to Baghdad, on his way to Palestine.⁹⁰

As expected, Kāshif al-Ghiṭāʾ was one of the speakers in the opening session. He spoke again in the twelfth session where he emphasized the central place of Jerusalem in the Islamic consciousness, and called for Islamic unity. It was decided by the Congress to print his speech in various languages and distribute it world wide.⁹¹ The significance of al-Ghiṭāʾ's participation was reinforced on Friday, 11 December, when Ishāq ʿAiyadi, the representative of Russian Muslims (the Ural region) proposed that the Shīʿī *ʿālim* should be the leader of the Friday mass prayer at al-Aqṣā, in order to underline the umma's belief in its unity.⁹² The Congress agreed, and Kāshif al-Ghiṭāʾ proceeded to lead an historic prayer as thousands of Palestinian Muslims and scores of staunch Sunni *ʿulamā*, including Rashīd Riḍā al-Taftazānī and al-Najjār, lined up behind him.

The other two members of the Iraqi delegation of particular significance were Shaykh Muḥammad Bahjat al-ʾAthari and Saʿīd Thābit Al-ʾAthari (b.1902) was, in the early 1930s, a teacher, historian, poet, Muslim scholar and the mantle holder of the Iraqi Islamic reform school which had emerged in Baghdad in the nineteenth century, parallel to the reform-

⁸⁹ On his life see Mir Baṣrī, *ʿĀlam al-Yaqṣa al-Fikriyya fi al-ʿIrāq* (Baghdad: Wizārat al-ʿIlm, 1971), 110-16; Jaʿfar al-Shaykh Bāqir Al-Mahbūbā, *Madi al-Najaf wa Ḥadīrūha* (Beirut: Dār al-Aḍwāʾ, 1986), 2 vols., vol. 2, 182-89.

⁹⁰ Kramer, *Islam Assembled*, 133.

⁹¹ The speech was published by the Congress Office in Jerusalem the following year (1932) at Dār al-ʾAytām al-Islāmiyya Print House (which belonged to the SMC) under the title: *ʾAḥkūth al-Tharikhiyya Allati Alqāha fi al-Jalsa al-Thāniyya ʾAshra min Jalasat al-Muʾamar Islāmī al-ʾĀm Samāhat al-ʾAllāma al-Jalīl al-Imām al-Hujja al-Mujtahid al-Shaykh Muḥammad al-Ḥusayn Al-Kāshif al-Ghiṭāʾ Yawm al-Ithnayn* 4 Shaʿbān Sanat 1350 AH.

⁹² Akram Zuʾaytir, *Memoirs, al-Hayāt*, 20 June 1994.

ist movements of Cairo and Damascus. Al-ʿAthari's teacher was the influential Iraqi Islamic reformist, Maḥmūd Shukrī al-ʿAlūsī (1857-1924) whose Islamic *saʿāfi* outlook was intertwined with a powerful Arabist disposition.⁹³ Al-ʿAlūsī inherited the *saʿāfi* reformist traditions of his father and grandfather, ʿAbdullah and Shihāb al-Dīn al-ʿAlūsī, and of Shaykh ʿAlī al-Swaydi. In al-ʿAthari, he found a brilliant student who would rise to become a member of the three major Arab academies of Damascus, Cairo and Baghdad.⁹⁴ After visiting Cairo in 1928, al-ʿAthari participated in establishing the YMMS branch of Baghdad and founded the "Magazine of the Muslim World." He was associated with al-Thaʿālibī, who frequented Baghdad during his years of exile, and was perhaps one of the youngest members of the Jerusalem Congress.

Saʿīd Thābit (originally Muḥammad S. al-Ḥajj Thābit al-Nuʿman, 1883-1941) was born in Mosul and educated in traditional Islamic and in modern Ottoman schools.⁹⁵ In 1919, he became active in the resistance to the British forces in his city, which subsequently led to his escape to Syria. Back in Iraq, in 1921, he participated in Mosul's local political movement which aimed at preserving its status as part of Iraq (rather than Turkey) and became a member of The People's Party, which was founded in 1925 by the Arabist and powerful Iraqi nationalist, Yāṣin al-Hāshimī. Thābit was elected a member of the Iraqi Parliament for several terms, in which he rose to prominence in 1926 after standing against the Iraqi-British treaty. His joining of the Jerusalem Congress was an indication of his and of al-Hāshimī's commitment to Palestine and the Arab-Islamic cause.

The report of the Committee on Holy Places and the Burāq (the Western Wall) was submitted by its Chairman M.A. ʿAllūba in the afternoon session of the Congress fifth day (12 December). This was obviously the central theme of the meeting where the participants' reactions made it impossible to separate the religious from the political.⁹⁶ The Zionist encroachment on Palestine was uncompromisingly condemned, and Saʿīd Thābit gave a fiery speech calling for the observance of a two-minute silence in memory of the Palestinian martyrs.

⁹³ One of al-ʿAlūsī's famous books is *Bulūgh al-ʿArab fi Ahwāl al-ʿArab* or "Reaching the Goal in the Conditions of the Arabs." For his biography see Muḥammad Bahjat al-ʿAthari, *ʿAlām al-ʿIrāq* (Cairo: al-Matbaʿa al-Salāfiyya, 1345 AH), 86-239.

⁹⁴ On al-ʿAthari's life, see Yunis al-Shaykh Ibrahim al-Samirāʾi, *Tārīkh ʿUlamāʾ Baghdad fi al-Qarn al-Rabiʿ Ashar al-Hijri* (Baghdad: Wizārat al-Awqāf, 1982), 113-118; Ḥamīd al-Matbaʿi, *Muḥammad Bahjat al-ʿAthari* (Baghdad: Wizārat al-ʿIlm, 1988). The first however, stated that al-ʿAthari was born in 1904 while the latter referred to 1902.

⁹⁵ For his biography, private papers of the Iraqi Historians, Mir Baṣrī and Najdat Fathi Safwat, London, were consulted. See also Sir A. Clark Kerr to Mr. Eden, 4 January 1938, FO 371/21853/E 435.

⁹⁶ For more details see *al-Jamīʿa al-ʿArabīyya*, 13, 14, 15, and 16 December 1931.

It was perhaps 'Awnī 'Abd al-Hādī, a Palestinian Arabist lawyer, who provided the most substantial input to the debate on the holy places. He explained the religious ambitions of the Zionists in Jerusalem and attacked the mandate, which he saw as the chief source of the Zionists increasing strength in Palestine.⁹⁷ 'Abd al-Hādī's proposal to reject the mandate was immediately received with supportive contribution by the other Istiqlalist Riyād al-Ṣulḥ. But, to the dismay of many, Shawkat 'Alī objected and expressed the idea that "discussion on the Mandate was extraneous and likely to commit than (sic) in avoidable problems."⁹⁸ He asked 'Abd al-Hādī to withdraw his motion, suggesting that efforts must be limited to averting the Zionist peril. At this point, Riyād al-Ṣulḥ, in a confrontational turn, accused 'Alī of extending no serious assistance to the Arabs and Islam and told him to realize that they—the Muslim Arabs—demanded independence. Although 'Alī was soon to be defended by other members, this exchange was obviously injurious to his reputation which sunk even further in the Congress.⁹⁹

However, the resolutions, adopted after the debate on the Committee report, made no allusion to 'Abd al-Hādī's proposal. It seems that the mufti, who promised the HC to avoid matters political, did not wish to be driven into an open confrontational course with the British, a course which he saw to threaten the future of the Congress. A five-point program was agreed upon encompassing a boycott of Zionist products, establishing an agricultural company in Palestine, bringing the attention of Muslim *ʿulamā'* and rulers to the Zionist threat to Palestine and its holy places, and condemning the report of the International Committee on the Burāq and the activities of land-sale middle men.¹⁰⁰

Although the mufti's undertaking to the HC was an open secret, it could not stop many delegates, during the closing session, from turning—in a furious mood—to an all-out attack on the colonizers of the Muslim world. Among the speakers were Saʿīd Shamil, the grandson of the Caucasian resistance leader, Yugoslavian delegates, M. A. al-Ṭāhir, Rashīd Riḍā and Riyād al-Ṣulḥ.¹⁰¹ This explosion of anger was not only an expression of the historic reality of "Islam on the defense," but was also precipitated by the government's decision to deport 'Abd al-Raḥmān 'Azzām even before the Conference had ended.

⁹⁷ 'Abd al-Hādī's speech was translated in full in FO 371/16009/E 753. . . (*op. cit.*) Enclosure II, on basis of the Arabic text that appeared in *al-Naṣīḥ*, 15 December 1931.

⁹⁸ See FO 371/16009. . . (*op. cit.*), Enclosure IV.

⁹⁹ Shawkat was received by the HC on 8 December (FO 371/16009/E 87). This, coupled with his recent rift with Ghandi in India intensified the belief among radical delegates that he had been compromised by the British.

¹⁰⁰ *Muqararāt*. . . , pp. 18-19.

¹⁰¹ FO 371/16009. . . (*op. cit.*), Enclosure IV.

‘Azzām gave a fiery and emotional speech on 15 December, supporting a proposal condemning Italian atrocities in Libya. He called on the Congress delegates to raise their voices in protest against the Italian policies, claiming that “The designs of the Italians are in no way different from the designs of Zionism, except that Italy aims at extracting the Muslim faith from the hearts of the Muslims, while the Jews are weak and depend on funds which they receive.”¹⁰² ‘Azzām’s speech was loudly applauded as Ibrahim al-Wā‘iz, the Iraqi delegate, proposed a moment of prayer.¹⁰³ The next day, ‘Azzām and other groups of delegates went to Nablus where they were received enthusiastically in this very nationalistic Palestinian city.¹⁰⁴ On 17 December, back in Jerusalem, ‘Azzām was served with a deportation order issued by the High Commission; he was subsequently driven to Gaza with a police escort, and after two days he was taken to the Egyptian border. But his mark on the Congress had already been made, since even in Gaza, at the very southern end of Palestine, people gathered en masse at his hotel to pay their respects.¹⁰⁵

As to other committees of the Congress, the debate on the report by the Committee for Religious Propagation and Guidance was of particular interest. Chaired and deeply influenced by Rashīd Riḍā, the Committee’s report was debated on 13 December. At this stage of his life, Riḍā was becoming less flexible in his convictions. His links with the Saudis and admiration of their rapid rise imprinted his Salāfi outlook with rigid Wahhābī streaks. Although many members of the Congress enjoyed a good relationship with the Saudi government, and some others, like Shaykh Kāmil al-Qaṣṣāb (the Syrian who attended the Congress as a Saudi delegate) held Wahhābī convictions that were even more profound than Riḍā’s, the report was openly challenged on the ground of its “clear tendency towards Wahhābīte religious practice.”¹⁰⁶ The majority of delegates were ardently determined to preserve a sense of unity, symbolized and expressed in their meeting, while, at least for the Iraqi delegation, identification with Wahhābism had become a sensitive political issue since the Wahhābī Ikhwān’s raid on Iraq in 1922.¹⁰⁷ Thus, when Muṣṭafa al-Ghalāyinī, Presi-

¹⁰² Coury, *Egyptians*, 44-45; *Filestin*, 17 December 1931.

¹⁰³ Al-Wā‘iz’s suggestion became a point of dispute between the mufti and the HC on whether the Congress approved of ‘Azzām’s attack on the Italians or not. The mufti indicated that he had attempted to stop ‘Azzām several times but failed. See “Note of an interview with the Mufti on Thursday, 17 December 1931”, FO/371/16009/1657/E 87.

¹⁰⁴ Zu‘aytir memoirs, *Al-Hayāt*, 20 June 1994.

¹⁰⁵ *Al-Jāmi‘ al-‘Arabīyya*, 18 and 20 December 1931; *Al-Ahrām*, 18 December 1931; Coury, 1992: 45.

¹⁰⁶ FO 371/16009/... (*op. cit.*), Enclosure IV; *Al-Jāmi‘ al-‘Arabīyya*, 14 and 15 December 1931; See also on the proposal and its counter argument *al-Manār*, vol. 32, 1931-2, pp. 193-212 and 284-92.

¹⁰⁷ Sa‘īd Thābit, a Sunni Muslim from Mosul, was a participant in Karbalā-all-Iraq-national Conference which condemned the Wahhābī raid on the Shī‘ite cities (Baṣrī private Papers on Iraqi Personalities, pp. 298-300).

dent of the Lebanese Muslim Council, condemned sectarianism and indicated that as Muslims endeavored to remove religious discord between them and Christians, there could be no reason why they should not do so in respect to Muslims themselves, his contribution was received with wide approval. At the end, the Congress agreed on a set of general resolutions, in terms of specific functions (central office and branches for information, journal, films, schools . . . etc.).¹⁰⁸

Another Committee, chaired by al-Ghalāyīnī, dealt with the important scheme of establishing a university in Jerusalem. The project encountered voices of various degrees of dissension from three quarters. Sir Muḥammad Iqbāl argued that the project was difficult to accomplish because of the lack of necessary funds and capable men. Shawkat Ali's main concern was the medium of instruction at the university, which he envisioned as a culturally unifying centre for all Muslims, and therefore must adopt all Islamic languages. Both opinions were overruled by the majority. The Egyptian delegates adopted a defiant and obstructive attitude towards the university proposal. This was true of 'Abd al-Ḥamīd Sa'īd and al-Taftazānī whose stand outraged other delegates including the Egyptian al-Hiḥyawī, the editor of *al-Thaghīr*.¹⁰⁹ Finally, in order to accommodate different sensibilities, it was agreed that the scheme should be undertaken in two steps, organizational and financial; it should be entrusted to the Executive Committee of the Congress, and discussion of the technicalities should be postponed to the next Islamic Congress.

All in all, the Congress was conducted in a proper and orderly manner, for which, according to the British official observers, the credit must be attributed to the efforts of the Lebanese Riyād al-Ṣulḥ and the Iranian al-Ṭabaṭbā'ī. Although deprived of the participation of many influential figures, the Congress was, by and large, a worthy achievement of the mufti and his determination. It elevated him to the most senior ranks of pan-Islamists and provided a Muslim world dimension to his national leadership. But while the impact of the Congress deserves to be seen from a wider perspective, a question must be asked about efforts to maintain a permanent organization and to implement its stated agenda.

Impact and Fate

While tending to denote the strength of participation in the Jerusalem Congress, recent studies are largely dismissive of its impact.¹¹⁰ The Con-

¹⁰⁸ *Muqarrarāt* . . . , pp 11-12.

¹⁰⁹ FO 371/16009 . . . (*op. cit.*), Enclosure IV; *Al-Jāmi'at al-'Arabiyya*, 9 and 11 December 1931.

¹¹⁰ For example, Mayer, *Egypt*, 311-22; Kupferschmidt, *The Supreme Muslim Council*, 192-220; Kramer, *Islam Assembled*, 123-41. For a counter argument see the penetrating analysis of Coury, *Egyptians*, 37-54.

gress, of course, could neither survive as a permanent effective body, nor could it pursue the tasks it set out to accomplish. The latter point will be discussed later. However, analyzed in a proper historical context, the impact of this meeting reached far beyond its immediate effect on the local Palestinian rivalry for leadership or Amīn al-Ḥusaynī's status. In 1931, the Palestinian question was not yet regarded as a problem of international dimensions. For most Arabs and Muslims, a proper understanding of the situation was still lacking, let alone a clear assessment of the ominous dangers to the very existence of the Palestinian people. Internationally, the interwar period was a natural continuation of the nineteenth century, especially in terms of the imperialists' *modus operandi*. As long as the process of imperialism did not seriously affect the balance of power in Europe, the imperialists were largely free to conduct their appropriate policies in their territories. Most Muslim nations had already been subjected to various systems of colonial rule and thereby engaged in addressing their national question. Hence, it was an important achievement of the Congress to help transform Palestine into a pan-Arab and pan-Islamic problem. Scores of distinguished Arabs and Muslims were made familiar with the Palestinian situation. Most delegates would become founders or active members in many popular committees and organizations that were to spring up in the Arab and Muslim World, in support of the Palestinians. Indeed, the Congress not only served the purpose of its predecessors in providing an arena for pan-Islamists, but also strengthened the Palestinians' belief in being part of an extended *umma* in the absence of a pivotal capital such as Istanbul.¹¹¹

Eventually, however, the Congress could not survive as a viable modern organization. The reasons behind its demise are manifold. The first and most damaging drawback was the failure to raise the necessary funds for its projects and organizational structure. During its proceedings, responses from the Palestinian public, and many other sympathizers of the university project, were overwhelming.¹¹² Yet, ensuing attempts by the mufti, al-Ṭabaṭbaṭī, the Secretary General of the Permanent Office and M.A. 'Allūba, the treasurer, failed to raise the required monies. Even after the relations between the mufti and Shawkat 'Alī had recovered, a tour in India, Persia, Afghanistan and Iraq in 1933 was to fall short of expectations.¹¹³ It is interesting that the financial aspect was earlier esti-

¹¹¹ A fact that can easily be ascertained in Palestinian political memoirs. See for example: Darwaza, *Ḥawā' al-Ḥarakah*, vol. 1, 79-86; 'Ajā' Nwayhid, *Sittūn 'Aman ma' al-Qafilah al-'Arabīyyah* (Beirut: Dār al-'Istiqlāl, 1993), 151-58; Zu'aytir, *Al-Ḥayāt*, 20 June 1994.

¹¹² *al-Jamī'ah al-'Arabīyyah*, 7, 10, 12, 15 and 17 December 1931; al-Tha'libī, *Khalfīyyāt*, 333-4.

¹¹³ HC to Downie, 5 December 1933, CO 733/248/17693 (60-61); *Filastīn*, 4 December 1932; *al-Fath*, 21 and 28 June 1933; George Antonius, Annual Report to the Institute of Current World Affairs, New York City, New York, 1933-34 (G. Antonius Private Papers, St. Antony's College, Oxford); Darwaza, *Ḥawā' al-Ḥarakah*, vol. 1, 86; al-Ḥusaynī, *Ḥaqā'iq*, 142-143.

mated by British officials as the rock on which the Congress would stumble. In the aftermath of the Congress, the Colonial Office expressed deep apprehension over the possible impact of the activities of the Congress Permanent Office in the Muslim world. Writing to the HC in Palestine, Sir Philip Cunliffe-Lister, the Colonial Secretary, stated that if "the result of the congress as now constituted, is to excite opposition in Moslem countries to the policy of establishing a Jewish National Home in Palestine, this, in effect, would be a challenge to the fundamental policy which His Majesty's Government are pledged to carry out under their international obligations."¹¹⁴ London was obviously beginning to contemplate the policy it should adopt towards the proposed second convention of the Congress in 1933, as it felt the powerful impact of the first convention. In response, the HC tentatively agreed that unforeseen conditions in Palestine might condone a prohibition of the Congress, but also mentioned that "The permanent effectiveness of the congress will depend in a large measure upon its financial resources."¹¹⁵ In the event, a prohibition order was never actually needed.

The Congress succeeded in establishing approximately twenty branches in Palestine, and others were also beginning to function in Egypt, Iraq, Jordan, Syria and Lebanon.¹¹⁶ Even in many African, Far Asian and European countries, efforts were underway in 1932 to establish offices and chapters. And although the Congress was severely impaired by its lack of funds and inability to reconvene in 1933, morale was boosted after the mufti, Shakīb Arslān, M. A. 'Allūba and Hāshim al-'Atāsī succeeded in bringing peace and reconciliation between Yemen and Saudi Arabia in the Congress mission of 1934.¹¹⁷ But, by the next year, the main office in Jerusalem had evidently become inactive, and Ṭabaṭbā'ī was back to Palestine, after a long absence in Europe, with the intention of reviving it "in whatsoever channels may be found to be most useful."¹¹⁸ He would obviously fail.

Besides the lack of funding, sources seem to suggest another cause behind the demise of the Congress, at least at a secondary level. Lack of cohesion between members of the Executive Committee and the Jerusalem main office was certainly an unanticipated problem. According to

¹¹⁴ P. Cunliffe-Lister (London), to HC, 18 February 1932, FO 371/16009/E 753. See also a long letter of protestation from the Jewish Agency to HC, 24 December 1931, FO 371/16009/E 2508.

¹¹⁵ HC to S.O.S. for Colonies, 26 March 1932, FO 371/16009/E 2508.

¹¹⁶ Gibb, *The Islamic Congress*, 108; al-Tha'libī, *Khalīfiyyat*, 302-321; al-Matba'ī, *Muḥammad Bahjat*, 87-8.

¹¹⁷ Arslān, *al-Sayyid*, 164 and 330-332; Aḥmad al-Sharabāṣī, *Shakīb Arslān: Da'iyat al-'Urūba wa'l-Islām* (Beirut: Dār al-Jil, 1978), 46; Ann Mosely Lesch, *Arab Politics in Palestine, 1917-1939: The Transition of a Nationalist Movement* (Ithaca and London: Cornell University Press, 1978), 140-1.

¹¹⁸ G. Antonius Annual Report, 1935, Antonius Papers, Oxford.

the Congress resolutions, al-Ṭabaṭbāʾī was elected General Secretary, ʿAllūba as Treasurer, Riyād al-Ṣulḥ, Assistant to the General Secretary and Saʿīd Shamīl, al-Thaʿālibī, Amīn al-Ḥusaynī and Nabīh al-ʿAzma, members of the Executive Committee.¹¹⁹ Apart from the last two members, none of the others was resident in Jerusalem, a situation which made their regular meetings almost impossible.

Ṭabaṭbāʾī was elected on the merit of his distinguished contribution to the success of the Congress. He was a man of integrity, able, enlightened, and a sincere Muslim.¹²⁰ He was instrumental in ending the state of anarchy in the early 1920s in Iran, became a Prime Minister and helped Riḍā Shah, the founder of the Pahlawī's short dynasty, to take power. His pursuit of reform policies led him into a course of collision with the newly installed Shah and consequently to leaving Iran for exile in Switzerland. As a Shīʿī Iranian, he was a pan-Islamist with profound convictions, which made him a valuable asset to the Congress and the mufti. Before attending the Congress, Ṭabaṭbāʾī was associated—in Switzerland—with ʿAbbās Ḥilmī II, the exiled Khedive of Egypt and his Alliance Musulmane Internationale, a pan-Islamic project, through which the former Khedive was trying to perpetuate his influence and elevate his prestige in the Muslim world.¹²¹ Unfortunate as it was, Ḥilmī's everlasting pursuit of power led him in the early 1930s to a complex relationship with Muṣṭafa Kamāl in Turkey, and the Zionist circles in Palestine and Europe, by whose assistance he hoped to obtain the throne of (Greater) Syria.¹²² Shakīb Arslān, who had worked with the Khedive during the 1920s, suspected his contacts and plans, and wrote of his apprehensions to Rashīd Riḍā. For Arslān and Riḍā, Syria's future was particularly a major concern. In light of recurrent leaks of his Zionist connections, ʿAbbās Ḥilmī became a dangerous liability with which to be identified.¹²³

In April, 1932, as Ṭabaṭbāʾī arrived in Jerusalem to assume his responsibilities, Rashīd Riḍā wrote to Nabīh al-ʿAzma of developments on the Khedivial front, and demanded that Ṭabaṭbāʾī be asked about his relations with the Khedive.¹²⁴ Al-ʿAzma had been elected to the Executive

¹¹⁹ *Muqarrarāt*, 27.

¹²⁰ HC to Downie, 5 December 1933, CO 733/248/17693; G. Antonius report of 23 April 1932, Antonius Papers, Oxford.

¹²¹ *Al-Manār*, vol. 32, 1932, pp. 209-212; Arslān, *al-Sayyid*, 641-2; ʿAbbās Ḥilmī Papers, files 36 and 37.

¹²² Thomas Mayer, "Dreamers and Opportunists: ʿAbbās Ḥilmī's Peace Initiative in Palestine, 1930-31," in Amnon Cohen and Gabriel Baer (eds), *Egypt and Palestine, A Millennium of Association 1868-1948* (New York: St. Martin's Press, 1984), 284-98.

¹²³ Riḍā (Cairo) to al-ʿAzma (Jerusalem), 9 February 1932, al-ʿAzma Papers, Arab Files, 8/410; Arslān, *al-Sayyid*, 739; Nwayhid, *Sittūn ʿAman*, 223-8.

¹²⁴ Riḍā to al-ʿAzma, 17 April 1932, al-ʿAzma Papers, Palestine Files, 5/44 and 45. See also al-Ḥusaynī to al-Thaʿālibī, 30 Ramadan 1350 AH, in al-Thaʿālibī, *Khālīyyāt*, 298-9, which implied a disagreement on the person who would run the Permanent Office.

Committee and was chosen to assist al-Ṭabaṭbā'ī as a director of the Permanent Office. Realizing his critical position, al-Ṭabaṭbā'ī ended his relationship with 'Abbās Ḥilmī and settled in Palestine for most of 1932. His purchase of a large citrus grove near Gaza and his very productive efforts at the Congress Office were clear indicators of his commitment.¹²⁵ The failure of the fund-raising tour of 1933 and disagreements over organizational matters took him back to Switzerland, where he started a carpet business. Subsequently, his visits to Palestine would become shorter and less frequent.

From the very beginning, the task of organizing regular meetings for the Executive Committee emerged as a serious handicap of the Permanent Office. The mufti, taking into consideration the political and moral impact of the Congress, wanted its office to remain in Jerusalem. Others apparently proposed to hold meetings in Cairo where many members of the Executive Committee were residing.¹²⁶ But even after reaching agreement on Jerusalem, the majority of members failed to meet and did not easily accept the regulations and necessary documents prepared by Ṭabaṭbā'ī and his team.¹²⁷

Feelings of frustration finally culminated in an atmosphere of rivalry and disagreement; first between Nabīh al-ʿAzma and Ṭabaṭbā'ī and then, as the mufti tilted towards the latter, between al-ʿAzma and the mufti.¹²⁸ Later, the energetic Riyād al-Ṣulḥ, recognizing the difficulties surrounding the Congress Permanent Office, submitted his resignation as the Assistant General Secretary and called upon 'Izzat Darwaza to replace him.¹²⁹ By the end of 1932, the Congress Office was not entirely functioning as it should have been, and attempts to rescue the situation in 1933 were seemingly too little, too late. Personal rivalry may have played some role in the Congress' decline, but more important in this regard were the formidable tasks—in terms of organization—that the Congress set out to accomplish. A grand vision of pan-Islamic organization could not have materialized without the support of a powerful government, while, ironi-

¹²⁵ 'Abbās Ḥilmī Papers, 125/16, 125/17 and 125/18; al-ʿAzma Papers, Palestine Files, no. 4; al-Thaʿallibi, *Khawṣṣiyāt*, 306 ff; Nwayhid, *Sittūn ʿĀman*, 157-158.

¹²⁶ *Ibid.*, pp 286-292; Samī al-Sarrāj (Cairo) to Nabīh al-ʿAzma (Jerusalem), 19 January 1932, al-ʿAzma Papers, Palestine Files, 5/35.

¹²⁷ 'Allūba to Amin al-Ḥusayni, n.d. (1932?); Saʿīd Thābit (Baghdad) to al-ʿAzma (Jerusalem), 10 March 1932 (where he described the decision to involve nonresidents in Palestine in the Executive Committee as a reckless decision); Ṭabaṭbā'ī to al-ʿAzma, 7 May 1932, al-ʿAzma Papers, Palestine Files, no. 4.

¹²⁸ Al-ʿAzma's memorandum to the Staff of the Jerusalem Office, 13 July 1932; al-ʿAzma draft of undated note, al-ʿAzma Papers, Palestine, files, no. 4; Saʿīd Thābit (Baghdad) to Nabīh al-ʿAzma (Jerusalem), 8 December 1934, al-ʿAzma Papers, Palestine Files, 7/84.

¹²⁹ Riyād al-Ṣulḥ (Beirut) to al-ʿAzma (Jerusalem), 15 October 1932, al-ʿAzma Papers, Palestine Files, 5/60; Same to 'Izzat Darwaza, 15 October 1932, *ibid.*, 5/59.

cally, Muslim governments of the 1930s were either unwilling or unable to support such a vision.

In 1937, the mufti left Palestine, fleeing a British order for arrest, and the Congress Office in Jerusalem never recovered. The idea of the Congress survived and was relaunched in Pakistan in 1949 by Amīn al-Ḥusaynī, the Pakistani pan-Islamists A. B. A. Haleem and Inamullah Khan, supported by Muslim Brotherhood elements, in the form of the Muslim World Congress.¹³⁰ This organization, which still exists with its main office in Karachi, was among a few other similar bodies that paved the way for the establishment, in 1969, of The Organization of the Islamic Conference, the only formal body that coordinates relations between Muslim states.

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¹³⁰ Landau, *The Politics*, 280-83.

POPULAR SOVEREIGNTY IN CONTEMPORARY SHĪ'Ī POLITICAL THOUGHT

The legacy of the Iranian revolution will most likely be its introduction of the concept of political Islam in the world arena. Although Islam was the political doctrine of many social movements in the Muslim World before the outbreak of the Iranian revolution, it was that upheaval in Iran that made the concept of political Islam a more profound reality to Muslims and non-Muslims alike. The revolution has shown that Islam is a new wave of revolutionary doctrine, besides liberalism and communism, that can motivate masses, topple regimes and beget political systems framed by its merits. As a result, the *mujāhidīn* all over the world of Islam have been regarded more threatening to the status quo than their revolutionary predecessors, the Marxists and Jacobins. Their political agenda appears to advocate the establishment of an Islamic political system that is anti-Western in every aspect.

Notwithstanding, the Muslim *mujāhidīn* have no unified plan to achieve their goal of an Islamic political system. Their differences range from their views on what is the nature and structure of their upcoming political system, to the idea that there could be one or many Islamic states at one time. Still, one should keep in mind that they all have been influenced, directly or indirectly, by the Iranian experience because it was the first Islamic state to exist in modern history. Although there are many Islamists who are critical of the Iranian revolutionary experience and its political setup, and even some who consider it a misfortune in terms of ideal Islamic teaching, the proponents of the Iranians, mostly Shī'ī, consider the revolutionary Iranian regime as the best of all possible systems or as the model to be followed. They regard it as a fulfillment of the long awaited dream of making Islam the solution to the agony of mankind. So many Shī'ī political movements, especially those that are based in, or financed by, Iran, are advocating copying the Iranian political system in other parts of the Muslim World. Sufficed it to mention, however, that there are numbers of Shī'ī jurists who have exclaimed alternative political settings and different socioeconomic relationships within an Islamic society to the one existing in the present regime in Iran. Some even reject the basic assumptions that the founder of the Iranian regime, Ayatollah Khomeini, relied upon to justify his formation of the current Iranian political system. Inspired by the ongoing debate, in this paper I will examine the conflicting political ideas of a few contemporary Shī'ī jurists and will compare their

political views. My aim is to introduce to the reader the different approaches that the Shī'ī jurists have used to articulate their views concerning political issues. Such study is extremely useful for the reader to understand the ongoing political debate in Shī'ism and not to view it dictated by one dominating doctrine and mental framework of the Iranian leadership.

Basically, I will structure the study into two parts. First, I will present the views and the political doctrine of Ayatollah Khomeini and those who advocate the idea of "*wilāyat al-faqīh*," (governorship of the jurist),¹ which is the building blocks of the nature and structure of the present Iranian regime. Then, I will introduce three prominent contemporary Shī'ī jurists who give alternative political views about governorship in the Islamic state. I will refer to the former as the statist, where the jurists of "*wilāyat al-faqīh*" advocate total control of the affairs of the *ummah*, the Islamic community, by the state; and to the latter as the populists, where the jurists advocate more popular input into the political system. However, this taxonomy serves to monitor the development of the concept of popular sovereignty within Shī'ī-Islamic jurisprudence. Such development is critical within Shī'ism because the essence of the whole Shī'ī movement in Islamic history is based on the premise of "divine selection" of the ruler (due to the Shī'ī-Sunni long historical conflict that centered on the legitimacy of succession to the leadership of the community after the Prophet). The idea of popular selection of political authority sounds foreign to popular Shī'ī thought, not to mention that it has rarely been advocated by prominent jurists. Although most of their political treatises focus on the issue of the legitimacy of those who head the Islamic state, some have attempted to inquire into other political issues such as the scope and limits of political authority or the rights and obligations of the people. However, It is necessary to examine their views on concepts that are related to the sovereignty and legitimacy of political authority. Additionally, I also would like to emphasize that this endeavor should be taken not as an attempt on my part to favor one idea or the other, but only a presentation of the differences between the two extreme views on the political spectrum. Consequently, I will not try to prove or argue the textual validity of either argument because such intercourse should be reserved for jurisprudential studies. This study will present their main thesis and show the systematic development of the concept of popular sovereignty in Shī'ī jurisprudence.

¹ The broad meaning of *faqīh* in Islam is one who is a jurist, a theologian and/or a preacher. However, I will take the liberty henceforth to refer to *faqīh* as jurist by inferring from the specific definition of *faqīh* in Islamic studies as jurisprudence.

The Statist Model

Although the idea of *"wilāyat al-faqīh"* can be regarded as a realistic attempt by Shī'ī jurists to address the problem of governorship in the Islamic society, the whole concept is utopian in nature. It is based on the rational conclusion that any civil society needs a government and an orderly system to organize its affairs and to protect it from anarchy and destruction.² There have always been social systems of some form and governing elites for the purpose of establishing order and dispensing justice throughout history. Consequently, there is no conceivable evidence that man ever lived in what amounts to the "state of nature" that European social-contract theorists had discussed. From the smallest social unit, the family, the clan or the tribes, to the most advanced and complex orders such as nations and empires, social hierarchy, division of labor and coercive measures exist to protect the existing social system.³ Such political control mechanisms provide legitimacy to the authority and maintain harmony between the members of any social order. So in every society, remarks Khomeini, government is needed to establish justice, to set up systems of education, to secure order, to override injustices, to protect the borders, and to safeguard people from foreign enemies; and such needs are obvious to rational humans regardless of time and place.⁴

The jurists of *wilāyat al-faqīh* have argued that government is so critical to the survival of man on earth that there should be divine intervention to guide man to a suitable political environment. History has shown that man is incapable of electing the right individuals to leadership, or that his ignorance has led him to institute an unjust socioeconomic order that threatened his happiness or survival. It is because of this shortcoming in the human faculty in making the right decision on issues of such import that God, the most Gracious, had to give specific revelation to direct people toward their suitable leaders.

The jurists' second argument for the necessity of divine intervention, however, has only a jurisprudential flavor. They believe that since Islamic regulations and teachings encompass all aspects of human life,⁵ there must be a guidance ordained to mankind on political issues. And whoever does not believe in such thoroughness of Islam, they argue, must believe in the deficiencies of the message of the Providence, God forbids.⁶ On the con-

² Kādhim al-Hā'irī, *Asās al-Hukuma al-Islāmiyya*, (The Foundation of Islamic Government), (Beirut: al-Nail Publications, 1979), p. 13.

³ *Ibid.*, p. 14.

⁴ Ruhollah Khomeini, *Baḥṭh Istidlālī 'Ilmī fi Wilāyat al-Faqīh*, (A Jurisprudential Study on the Governorship of the Jurist), (Beirut: al-Falāḥ Institution, 1985), p. 11.

⁵ *Ibid.*, pp. 11-12.

⁶ *Ibid.*, pp. 10-11.

trary, the heritage, the teachings, and the commands of Islam indicate that political issues are the centerpiece of its message. The Prophet of Islam founded and led a political state, adjudicated between people, punished the aggressors, and established a system of justice. Moreover, the nature of Islam itself made it necessary for believers to live only within the framework of the Islamic state. For example, the collection and distribution of religious taxes, defending the Muslims and the land of Islam from oppressors and invaders, enforcing Islamic moral and penal codes, and unifying the Muslims in one community are some of the duties that can only be realized by the instruments and power of a political state.⁷ Based on the above two facets of rational-religious argument, jurists believe that the legitimacy of the succession to leadership and the formation of political order is divinely ordained, and is not contingent on individual choice and free will. Al-Hā'irī candidly writes:

There is no sense in having the legislative and regulative functions, or the determination of political systems, in the hands of people who are greatly ignorant about themselves, not to mention their vast ignorance about the world and its mysteries, in contrast to the Divine Wise Creator who has revealed to them laws and commandments that give them happiness and guide them to the right path.

Therefore, it is improper for a Muslim to believe in democracy or to practice it (even with regard to electing the executive branch) unless Islam should ordain such a thing.⁸

Jurists of this line of thought have argued that the most knowledgeable person should rule the community because he will act in the best interests of the whole community. The most knowledgeable should also be sincere and self-denying, to looking after the general well being and not his own.⁹ So the Platonic philosopher-king of Islam is a god-fearing jurist, someone well versed in Islamic teaching and laws, and pious enough to seek the grace of God and not his materialistic gains. On the other hand, the religious side of the argument holds that divinely guided individuals, i.e., prophets and imams, are the natural mentors and guardians of the people. With their guidance and command, people can rest assured that their government is at the mercy of God. However, in the absence of the twelfth Imam, al-Mahdī (the Savior), the leadership of the Islamic community shall pass to those who best resemble those divine individuals, the most pious and knowledgeable.

⁷ Khomeini, *al-Hokūma al-Islāmiyya*, (*Islamic Government*), 4th edition, (n.p., n.d.), pp. 24-37.

⁸ Hā'irī, *Asās*, p. 64.

⁹ Khomeini, *al-Hokūma*, pp. 45-47, 55.

Jurists, therefore, are the "natural" inheritors of the authority of the Prophet because of their awareness of the teaching and commands of God. They are the closest of all people to the divine light. In other words, theoretically and practically they resemble the divinely guided individuals. The jurists' role is to safeguard religion, preach the words of God to people, and guide them toward their ultimate destiny, which is identical with the role of prophets and imams. Accordingly, *Shari'ah* has instructed people to seek guidance from these learned men in all matters, *which definitely include worldly affairs* as well.¹⁰ Supporters of this school of thought have always referred to some *hadiths* of the Prophet or the holy Imams that advise people to seek guidance in their life from those who know and teach Islam. Yet, the interpretation of what *matters* on which one should seek advice from jurists is what divides the Shī'ī jurists into proponents and opponents of *wilāyat al-faqīh*. Ayatollah Khomeini argues that not specifying the limits of the term *matters* indicates that guidance should include temporal as well as spiritual concerns, or worldly as well as religious affairs. Accordingly, Khomeini concludes that the jurists should inherit the political authority of the Prophet and Imams in its totality, the authority in both its vast scope and in its limits.¹¹

As for the means-and-ends of the jurists' political authority, there is, for instance, one verse of the Qur'ān that is widely referred to by Khomeini and his supporters that implies that totalitarian power ought to be at the hand of the divinely appointed governor:

The Prophet is more entitled to the Believers than their own selves.
(33:6)

Once the jurists are understood to be the legitimate successors of the Prophet, accordingly they are the natural inheritors of such power of control over the lives of believers. Therefore, the jurists' duties are to preach to people words of God, to lead the community, to command the armies, to collect the religious dues and charities and distribute them to the needy, and to perform the obligation of enjoining good and forbidding evil in the society as the Prophet used to do. They, after all, Khomeini writes, "are the Prophet's trustees in all matters associated with his prophethood, the most obvious of which is the leadership of the community and the dispensing of social justice."¹²

¹⁰ *Ibid.*, p. 78.

¹¹ *Ibid.*, pp. 51, 88-89.

¹² Khomeini, *Beḥṭh*, p. 31.

Wilāyat al-Faqīh in Perspective

The entire endeavor of Khomeini's works on Islamic government focuses on the basic issue that has occupied Shī'ī jurisprudential and theological studies for centuries, namely the legitimacy of those who hold political authority. Although the general argument revolves around the divine legitimacy of the Shī'ī twelve Imams to succeed the Prophet to lead the Islamic state, Khomeini and the jurists of the Statist school advance the argument proportionally to include the jurists as having the divine right to head the Islamic community. The jurists' right to reign is claimed to be legitimate only because, according to Khomeini, the religious texts indicate without any reasonable doubt that the Prophet and holy Imams chose them to be their heirs or deputies.¹³ Hence, they are the legitimate rulers whom the Islamic community should recognize as their authority and whose guidance they should obey.

Once the jurists' legitimacy to political power has been established juridically, then the domain of their role and of people's obligation follows logically. Consequently, the scope of their authority is almost as vast as that of the Prophet, meaning the total supervision of human activities and relationships in the society. The jurist must, therefore, perform to his capacity the functions entrusted to the Prophet and Imams. The only distinction between the authority of infallible leaders and that of the jurists is the fact that the jurists are not the lawgivers, but rather the law-interpreters. This differentiation allows them only to extrapolate the divine laws to meet rising circumstances. For that reason Khomeini rejects the idea that the Islamic state should have legislative body or a parliament, and proposes a *Planning Council* instead.¹⁴ However, other aspects of the authority of the Prophet and its jurisdiction are to be passed to his successors, i.e., jurists. So even the matter of waging offensive jihād against the unbelievers, which was historically believed by Shī'ī jurists to be exclusively the responsibility of the infallible imams,¹⁵ is reinterpreted. Ayatollah Kādhim al-Hā'irī, a reputable jurist and professor at Qum religious academy, argues that such authority should also lie within the domain of the jurist.¹⁶ In fact, the jurisdiction of the *wilāyat al-faqīh* extends to all realms of human relationships. Here is a case in point. In 1988, when 'Alī Khāmīnā'ī, the present jurist-leader of Iran who was then president, publicly indicated in a Friday sermon that the Islamic state has no right to

¹³ *Ibid.*, pp. 56-62.

¹⁴ Khomeini, *al-Hakūma*, p. 42.

¹⁵ Abdulaziz A. Schedina, *The Just Ruler in Shī'ite Islam* (New York: Oxford University Press, 1988), pp. 105-18.

¹⁶ Kādhim al-Hā'irī, *al-Kifāh al-Musalah* (*Armed Struggle*) (Qum, Iran: al-Rasuul al-Mustafa Publication, n.d.), pp. 9-72.

have total control over the personal life or the private property of the individual, Ayatollah Khomeini openly denounced him and proclaimed in a public statement that

the Islamic government, since it is the extension of the authority of the Prophet and holy Imams, is considered one of Islam's fundamental tenets of belief and hence has authority over the statutes of worship such as performing prayers, fasting or pilgrimages. . . . So for example the government can abrogate the ritual duties of *Hajj* or revoke the legal contracts that it undertook with people when those contracts, on religious matters or otherwise, are perceived detrimental to its interests.¹⁷

Furthermore, since the political regime that the jurists govern is the only divinely legitimate leadership on earth during Imam Mahdī's occultation, then total submission from the people to its authority is expected. This is because the state acts in the best interests of the people, since it is headed by the best mind and finest soul, i.e., the qualified devout jurist. The jurist and his state have the responsibility to guide people to their destiny. Once people realize that their leadership is divinely legitimate, they must obey its command and guidance. The rationalization behind such total obedience, according to al-Hā'irī, stems from the fact that the rule of the jurist is for overcoming people's deficiencies in being able to comprehend their own interests.¹⁸ The jurist hence is likened to a father taking care of his children or a guardian caring for orphans.¹⁹ Analogically, within the Islamic political system, as in the case of father, the ultimate welfare and the proper upbringing of minors are solely dependents on the best judgment of their guardian.²⁰ Accordingly, the "jurist-guardian" during the course of his ruling may seek the advice of others, or consult with experts, but he alone is furnished with expertise and knowledge necessary for leadership and only he has the power to make decisions.

According to Khomeini, jurists should make use of those with scientific and technical expertise in the administrative, [planning] and management functions [of the state]. But as for the supreme administration of the state, the dispensing of justice, providing security and sanctioning equitable social relationships, and just rule and adjudication between people, these are precisely the functions of the jurist.²¹

¹⁷ For the full text of Khomeini's letter to President 'Alī Khāminī, see *Ettilā'āt* (Jan. 7, 1988).

¹⁸ Hā'irī, *Asās*, pp. 141-2.

¹⁹ *Ibid.*, p. 166.

²⁰ *Ibid.*, p. 50.

²¹ Khomeini, *al-Hakūma*, pp. 133-4.

In this type of guardian-follower relationship, moreover, there is no room for dissent from the authority of the *wilāyat al-faqīh* even though, at least in theory, the leading jurist is considered only as the first among equals. (Judicially, jurists are all considered to be the rightful heirs to the infallible Imams.) So although the rulings mandated by the jurist's regime may not be considered as divine as those laws of the Prophet, they have the stature of pseudo divinity because they have to be obeyed even by other jurists who disagree with their textual authenticity or their derivation. They argued that the society must have a stable legal system and order to follow, and that confusion and disagreement will beget anarchy and disintegration. Even the dissent of other jurists is to be severed for the sake of unity of the community or the survival of the legitimate Islamic regime. And if dissent is to be allowed or expressed, it should be within the close circle of jurists and through the medium of their adjudicational exercises.²² Their dissent and opposition are considered only a matter of having different juristic opinions on the extrapolation of laws, and each may be right or wrong. To realistically resolve the matter and minimize its spread on the social level, hence, the one who has the de facto power to enforce his opinion in the social settings should have the final say. Accordingly, punishment to violate the ruling of jurist is legitimate and just since it is an enactment of the original divine punishment.

Populist Argument

Of course, not all Shī'ī jurists subscribe to the argument that they only have the divine rights and legitimacy to rule the Islamic society. Although they do not dispute the idea that the holy twelve Imams are the legitimate rulers to succeed the Prophet, they raise serious objections about the legitimacy of the jurists to positions of authority. Chief among them, ironically, is a onetime designated heir of Khomeini, Ayatollah Muntazery.

Muntazery's elegant work, *Dirāsāt fī Wilāyat al-Faqīh*, was in a way meant to be a political treatise in defense of "Governorship of the Jurist" and a justification for the type of political system founded in post-revolutionary Iran. However, he went to lengths to review all the prophetic traditions that were supposed to support the legitimacy of the jurist to authority. His textual criticism turned out to conclude that not all traditions stand up to the juristic analysis as authentic or of sound references.²³ He explicitly states that "the proof of those traditions to demonstrate the designation of authority to the jurist is not conclusive."²⁴ Their meanings

²² Hā'iri, *Asās*, pp. 189-97.

²³ 'Alī Hussein Muntazery, *Dirāsāt fī Wilāyat al-Faqīh (Studies on the Governorship of the Jurist)*, Volume I, (Qum, Iran: International Center for Islamic Studies Press, 1988), p. 489.

²⁴ *Ibid.*

either have been misinterpreted,²⁵ stretched,²⁶ or overstated,²⁷ or in other cases the whole textual evidence came from sources too weak to be relied upon.²⁸ The most sound traditions, he argues, delegate authority to the totality of jurists and not to just one of them.²⁹

Nonetheless, he deduces a different argument to defend the authority of the jurist as instituted in the constitution of the Islamic Republic of Iran. His argument rests not on the divine right of the jurist to the authority, but on the divine right of the people to participate in politics. Muntazery argues that God has instructed them to conduct their affairs in consultation with each other, to honor their contract, and to respect their oath of allegiance. It is obvious, according to Muntazery, that these religious responsibilities are the bases of political relationships and therefore are the foundation of the Islamic state.³⁰ In due respect, the concept of "*bay'at*" (oath of allegiance) resembles some form of social contract between the people and their leader. On this he writes:

. . . the essence of *bay'at* is to signify in itself a mean to form an authority when contract and consent have been achieved. It is known that the [Arabian] tribes when they feel in need of a chief to protect their [tribal] system and defend it against foreigners they summon one with whom they find it suitable to conclude a contract and disclose with him its terms and obligations, and when mutual agreement is reached, they instate what they have contracted and agreed upon by shaking hands. And through this form of institution authority used to be confirmed.³¹

Such type of formation of authority, i.e., the popular election of the head of the Islamic state, suggests Muntazery, seems to have more religious legitimacy than the divine designation of the jurist as argued by Khomeini and the statist's jurists. In other words, the leadership in the Islamic state during the occultation of the twelfth Imam can be formed and gain legitimacy only by "social contract," and Muntazery sites many religious texts as evidence to support this view.³²

However, popular sovereignty does not mean that the jurists are left with no role to play in Muntazery's state model. The people, he argues, although they have the divine right to choose their leader, their choice is

²⁵ *Ibid.*, pp. 461-6.

²⁶ *Ibid.*, pp. 467-77.

²⁷ *Ibid.*, pp. 430-55.

²⁸ *Ibid.*, pp. 427-9.

²⁹ *Ibid.*, pp. 478-88.

³⁰ *Ibid.*, pp. 493-500.

³¹ *Ibid.*, p. 523.

³² *Ibid.*, pp. 500-12.

confined to those who are "competent" and not to anybody else. Since the Islamic state must enforce the commands of God in lieu of man-made laws, competency means knowing the divine commands. The people, therefore, must choose someone amongst those learned individuals who are versed in the *Shari'ah*. In sum, Muslims are supposed to elect only qualified jurists for the position of leadership.³³ If others are chosen, they may lead the people astray from the straight path.

Furthermore, Muntazery's theoretical formulation not only preserves a leading political role for the jurist, it also puts an end to the perennial problem of plurality of sovereignty that has weakened the consolidation of authority in *wilayat al-faqih's* theory. Since the divine sovereignty is designated to jurists in general, every jurist has the divine right to claim authority and has the legitimacy to assume its functions. Such multiplicity of authority is amplified by the doctrine that every Shī'i for the sake of his salvation must conform to a rule constructed by a jurist. The authority of Ayatollah Khomeini, for instance, was hindered and challenged to some degree by other grand jurists like Shari'at-Madari and Talaqani when he assumed power in Iran since each one of them considered himself as the legitimate heir of the twelfth Imam. Muntazery, who was part of the political setup of Khomeini's government, by locating the sovereignty with people has diminished this political dilemma. Jurists, Muntazery may concede, have no claim to authority except through popular election. Once a jurist has been elected, people including jurists must obey his command. And because legitimacy can only come through election and social contract, other jurists have no divine claim to the leadership in any means once people have spoken their choice. The jurist-leader, henceforth, has total authority over the legislative, executive and judiciary functions of government,³⁴ as well as all aspects of social life.³⁵ Muntazery explicitly denied other jurists even their traditional religious authority within the framework of the Islamic state.³⁶ Plainly put, he disqualified them from one of the most basic Shī'i religious concept and practice namely that a believer should refer to one qualified jurist.³⁷ All members of the jurist-led state have to obey the laws and commands of the political system.

Central to his theory is that religious as well as civil affairs will become part of the domain of the Islamic government. Pluralistic sovereignty is intolerable to Muntazery to the point that he even argued that the jurists are not allowed to announce publicly the sight of the new moon.³⁸ Con-

³³ *Ibid.*, p. 489, 491.

³⁴ *Ibid.*, vol. II, pp. 51-5.

³⁵ *Ibid.*, pp. 24-5.

³⁶ *Ibid.*, pp. 86-109.

³⁷ *Ibid.*

³⁸ *Ibid.*, pp. 593-610.

sidering that the observance of some of the important religious rituals, such as fasting the month of Ramadan or making pilgrimage to Mecca, is set to follow a lunar calendar, difference in assigning the beginning of new month among jurists may cause social disarray. Therefore, the Islamic government, claims Muntazery, has the sole jurisdiction over this socio-religious matter.³⁹ The jurist-leader should be the only recognized legitimate authority within the Islamic state.

Having defined a leading role for the jurist within the popularly elected Islamic state, it became plausible for Muntazery to elaborate on the dynamics of popular sovereignty. Although he holds a positive view of the role of the people to make mature and responsible decisions with regard to electing their leader (unlike the jurists of the *wilāyat al-faqīh* who argued that people are emotional and mostly too ignorant to make wise decisions), he has some reservation as to the ability of everyone to participate in the decision-making process of electing the jurist-leader. Muslims, he argues, even at the dawn of Islam, could not possibly convene in one place to cast their vote. Instead, only the residents of Medina, i.e., the first believers of Islam, had the right (or probably the accessibility) to chose the Khalifa. They acted as representatives of the whole Islamic community, mostly of new converts to the faith, on this critical issue.⁴⁰ Muntazery deduces from this precedent the principle that the people should choose their representatives from well qualified and pious individuals who in turn would form the council to chose the leader. In other words, his vision of a political system resembles some kind of representative theocracy that has some features of a parliamentary system.⁴¹

Underpinning Popular Sovereignty

Popular sovereignty did materialize theoretically through the works of Muḥammad Bāqir al-Ṣadr of Iraq. Although he was the founder of the first Shī'ī political party, the Islamic Da'wa, that made him the intellectual guru of the Arab Shī'ī fundamentalist movement, and a renowned champion of *wilāyat al-faqīh* well before the rise of the Islamic Republic of Iran, he had called for more people's involvement in politics.⁴² His leniency toward popular sovereignty is inconsistent with his general theory and perspectives on the dynamic of politics in Islam. For him, popular sovereignty

³⁹ *Ibid.*, pp. 776-780.

⁴⁰ *Ibid.*, vol. I, pp. 553-62, and pp. 577-9.

⁴¹ Muntazery considers the Islamic political system as a theocracy. See, *Ibid.*, vol. I, p. 10.

⁴² On Ṣadr's political activism and intellectual achievement, see my "The Role of Muḥammad Bāqir al-Ṣadr in the Shī'ī Political Activism in Iraq from 1958-1980," *International Journal of Middle East Studies* (Spring, 1993): pp. 207-22.

and the governorship of the jurist are two faces of the same coin, so to speak, or integral parts of Islamic politics.

Ideologically, Ṣadr bases his theory on two fundamental religious concepts about man's destiny on earth: 1) the vicarage role that God has entrusted to man; and 2) the divine guidance and salvation of man on earth.⁴³ These two concepts were derived from the understanding of the story of creation of man as narrated in the Qurʾān. Adam (personifying mankind) was created to live on earth, yet to be superior to all creatures including angels in heavens. Ṣadr writes that

God has honored the human being with vicarage on earth for he was a unique creature among other elements in the universe to be the delegate of God on earth, and through this vicarage he was worthy of the angels bowing before him.⁴⁴

This superiority was reinforced by man's capacity to acquire divine knowledge (the names which God taught him). Ṣadr went on to argue that Adam and Eve's short residence in heaven was only a training point to prepare them to live on earth.⁴⁵ Their experience with the temptation of Satan, performing sins, and repentance were necessary ingredients for hospitable life on earth. It is due to this human experience that man gained the intellectual-spiritual capacities to live on earth on his own and observe the divine responsibilities of vicarage.⁴⁶

Yet vicarage implies that man is the agent of God on earth, a role which indicates his free will, the freedom to act according to his understanding of his divine mission. However, he has the capacity either do good or bad. Plainly put, he is by nature an amoral creature. What makes him swing from one side to the other are two internal and two external mechanisms: the former are his rationale and his passions; and the latter are divine guidance and Satan's deceptions. The crucial factor for keeping man in the "straight path" in this scheme is the divine guidance that God sends to man at times of need to reinforce his rationality and provide him with the divine knowledge to control his inner temptations and those of Satan and enable him to progress toward perfection. Prophethood has played this role to guide man throughout history. Prophets were to be witnesses (*shuhadāʾ*) to the progress of man and his steadfastness to

⁴³ Although Ṣadr's short pamphlet, *Khilāfat al-Insān wa Shihādāt al-Anbiyāʾ*, which was compiled with other pamphlets in *al-Islām Yaqūd al-Ḥayāt*, was primarily to define the two concepts, his other previous works gives more in-depth analysis to his political theory.

⁴⁴ Muḥammad Bāqir Ṣadr, *Khilāfat al-Insān wa Shihādāt al-Anbiyāʾ*, (*The Vicarage of Man and the Witness of Prophets*), in Ṣadr, *al-Islām Yaqūd al-Ḥayāt* (Iran: Islamic Ministry of Guidance, 1981), p. 133.

⁴⁵ For the detailed of Ṣadr's views on this prehistoric period of human life, see Kādhim al-Hāʾirī, "al-Tafsīr al-Mawdhifī li al-Qurʾān," *al-Ḥiwār al-Fikrī waʾl-Siyāsī* (August, 1985), pp. 63-5.

⁴⁶ Ṣadr, *Khilāfat*, pp. 152-3.

the responsibilities of vicarage. In other words, divine drama of life on earth is contingent on the interplay of two factors: the vicarage and witness; the role of man and that of God; the deeds of man's free-will and the divine guidance.

Vicarage implicitly denotes certain values beholden to man that pertain to his role as an agent of God on earth: that he 1) belongs to no one but God, 2) is responsible only to God, 3) services no other than the Most-High, and 4) is equal to others before the Lord.⁴⁷ In political terms, this means that man is bound in universal brotherhood to other men, that he has a mission to fulfill as a free-will agent before God, that he has the liberty to act according to his capacity, and that he will be treated equally before the law. These divine privileges are parallel to notions later known to man as the natural rights of man or universal values of people: universalism, progression, equality and liberty.

Moreover, the purpose of divine guidance is to protect the above rights and privileges of man and secure the purpose of humanity of continuing progression toward perfection. Divine guidance has materialized through revelations to prophets and the leadership of Imams. Besides having clear knowledge of the divine message, these infallible persons were responsible to: 1) safeguard God's message and laws from degeneration, 2) prevent man's conduct from deviating from his vicarage role, and 3) interfere when corruption becomes rampant in the society.⁴⁸ Accordingly, the "witness" is in fact the spiritual and the political point of reference for the people.

However, to claim such larger-than-life roles for the prophets and Imams because they are the messengers of God and protector of that message, respectively, can well be taken; but questions of doubt will be raised if jurists are fit to assume the role of witness! Šadr's theoretical framework subscribes to the idea of placing the jurist, more specifically the Grand Jurist or *marja'* in Shī'ī hierarchy, as the witness to succeed prophets and imams. Does the jurist have the merits to bear the grandiose role in the divine design? Affirmatively, Šadr has argued for the jurist to be capable of exercising the role of witness because of his high intellectual and spiritual training that provides him with the necessary capacities and guards him better than others from mischief. The *marja'*, Šadr eloquently has defined as

the person who through his individual efforts and long forbearance has achieved an unbroken, comprehensive, and vibrant grasp of Is-

⁴⁷ *Ibid.*, pp. 135-6.

⁴⁸ *Ibid.*, p. 145.

lam and its sources, and gained deep piety to adapt himself to it so [Islam] can become a power controlling his life and behavior.⁴⁹

So although the grand jurist is not divinely identified in person to be a witness, his attributes clearly qualify him to take such responsibilities. Şadr grounds his opinion with a reference to the following verse:

Surely We sent down the Torah, wherein is guidance and light; thereby the *Prophets* who had surrendered themselves gave judgment for those of Jewry, as did the *masters* and the *rabbis*, following such portion of God's Book as they were giving to keep and were *witnesses* to. (Emphasis added) [5:44]⁵⁰

According to Şadr, God identifies those who can rule by the Book and can uphold the role of witness: the prophets, the masters (whom Şadr identifies as the imams) and the jurist of God's laws.⁵¹

Şadr accordingly sets up the type of relationship between the "jurist-witness" and the vicars of God, i.e., between the *marja'* and the people within the Islamic state. His state's model suggests that there is division of power between the two main actors as well as some form of check-and-balance mechanism between them. On the one hand, as mentioned above, Şadr identifies the main political functions of the witness which are to supervise the activities of the state, to make his juristic opinions the legal standard of the legislative process, and to command people to uphold their vicarage responsibilities in this life.⁵² Simply put, the witness is the legal and moral guardian of the people and of the state. On the other hand, Şadr's model places the main course of politics in the hands of people through the exercise of elections. He justifies political rights as being consistent with the prophetic tradition of receiving the oath of allegiance from people. Although prophets and holy imams were identified by their names *per se* to positions of authority by Almighty God, "their convention [of receiving the oath of allegiance from people] was to emphasize the importance of such public rights and to put in practice the theoretical concept of vicarage to people in general."⁵³ People, Şadr concludes, are to assume the executive and legislative powers of government. Yet, while it is clear that people elect their leaders and government officials, there seems to be inconsistency in the basic formulation of Şadr's theory to suggest that they

⁴⁹ *Ibid.*

⁵⁰ *The Koran Interpreted*, Vol. I, trans. A. J. Arberry (New York: McMillan Publishing Co., 1955), pp. 134-5.

⁵¹ Şadr, *Khilāfat*, p. 144.

⁵² *Ibid.*, pp. 145, 168-70; and Şadr, *Lam'ha Tamhidiyya 'an Mashrū' Distūr al-Jumhūriyya al-Islāmiyya* (A Preliminary Jurisprudence Basis of the Constitution of the Islamic Republic), in Şadr, *al-Islām Yaqud al-Hayāt* (Iran: Islamic Ministry of Guidance, 1981), pp. 12-13.

⁵³ Şadr, *Khilāfat*, p. 162.

can legislate before God! Isn't that role, while theoretically justified, to be assigned to the witness? Yes and no, Ṣadr perhaps might have answered.

Although Ṣadr believes that the Islamic laws are comprehensive, he leaves an open window for human legislation and man-made laws within the divinely guided state. He argues that while Islam has concrete rules that must be followed, there is a wide area of unlegislated matters that Providence left intentionally to provide people the opportunity to legislate rules according to their circumstances.⁵⁴ Ṣadr says that there are clear cut laws of Shari'a that are binding as articles of the constitution. However, he identifies other two areas where there can be popular input. The first is in the "indeterminate sphere" of laws where the jurists have different legal opinions on certain unsettled religious issues. In these cases, the people, through their legislators, may vote for one of the available juristic options. The second is the "discretionary sphere" where the Divine Legislator left no specific rules or regulations, mainly related to socioeconomic issues. Here, the human legislators can enact legislations and derive laws by referring to the general principles of Islam and its basic tents.⁵⁵ In retrospect, Ṣadr says that there are two spheres of social laws, the divine and the civil, both within the domain of Islamic jurisprudence. The jurist-witness is supposed to have veto-power over legislations that are in conflict with the basic Islamic ethical and juristic principles.

Ṣadr realizes the possible implications of such a broad range of responsibility for the jurist in the state, and he proposes mechanisms to balance its political effects. He acknowledges that the *marja'* conducts his sociopolitical activities in a primitive manner since there is no institutional structure he relies upon to exercise his authority. Decisions that concern the welfare of the whole community are mostly derived from consultation with relatives and close associates. To counter the limitations of this tradition, Ṣadr proposes setting up an "institution of *marja'iyya*"⁵⁶ where a committee of experts on different fields gives advice to, and executes decisions taken by, the *marja'*. Such a modern phenomenon, he maintains, will not only save the jurist-witness from arbitrary decision making, but also serve as a medium to train new jurists for the responsibilities of witness and benefits them by providing experience from the ongoing exercise of authority.⁵⁷ The second mechanism Ṣadr adheres to

⁵⁴ Ṣadr calls this discretionary area of Islamic laws the "hollow sphere of laws," where the Supreme Lawgiver did not specify prohibition or permission on these matters. See Ṣadr, *Iqtisādunā* (*Our Economics*) (Beirut: Dār al-Ta'aruf, 1981), pp. 721-2.

⁵⁵ Ṣadr, *Lamḥa*, pp. 10-11.

⁵⁶ Ṣadr labels his modernized version of *marja'iyya* as the "objective" one vs. the existing form of "individualistic," or the "subjective." See his "Utruhāt al-Marja'iyya al-Sahliha" (Thesis on Suitable Marja'iyya), in Kādhim al-Hā'irī, *Mabāḥith fi 'Ilm al-Uṣūl*, (Qum, Iran: Dār al-Zahrā', 1988), pp. 92-100.

⁵⁷ *Ibid.*, pp. 96-7.

is the traditional way of free competition to the position of authority.⁵⁸ The jurist must gain his credibility through proving his intellectual and spiritual qualities to the public in a thorough manner. Once there are many contenders for the positions, it is then the right of people to elect in popular vote their *marja'* from among the different choices.⁵⁹ In other words, such practice moves away from the Platonic notion that is deeply inherent in the Shī'ī juristic thought of selecting the one with the best mind and finest soul electing the one who is more popularly desired. As a result, this process of selection of the *marja'* from among the many jurists to the position of witness by popular vote will entrust the vicars of God with the power of making the divine appointments. Thus much greater responsibility and honor is given to people. In Ṣadr's theory, people at the time of occultation of twelfth Imam are to act in the stead of God and elect their leaders and determine their fate.

In short, Ṣadr undoubtedly argues for a more open system than the one adhered to by his peers of *wilāyat al-faqīh*. He explicitly categorizes his political system as a modified democratic one. He declares bluntly that

The Islamic theory rejects kingship and monarchy; dictatorship of one person in any form; aristocratic government; but it advocates a type of system that provides all the positive elements of a democratic system plus distinctive factors that optimize the objectivity of its structure and guard it against corruption.⁶⁰

Ṣadr, furthermore, portrays the Islamic system as having a comparable political structure to the parliamentary form of government where there is no clear separation of power between the legislative and executive branches.

As for the relationship between the branches of government, the Islamic state is closer to the republican system but with major differences with those that exist in the democratic capitalist states, which are founded on the principle of separation [of power] between the executive and legislative branches.⁶¹

Annuling Juristic Sovereignty

The last judicial views to be analyzed here are those of Muḥammad Jawād Maghniyya. He was a prominent Shī'ī jurist and prolific writer from

⁵⁸ Ṣadr refers to such traditional style of selection of the *marja'* as the "natural process of a historical precedence." See his *Lam'ah*, p. 13.

⁵⁹ *Ibid.*, p. 14.

⁶⁰ *Ibid.*, pp. 17-18.

⁶¹ *Ibid.*, p. 18.

Lebanon who produced voluminous works on varieties of religious subjects, most of which are aimed at simplifying the complex Islamic teaching and jurisprudential studies for the general public. Yet some of his books on jurisprudence, Islamic law, and his exegesis of Qur'ān are considered renowned scholarly works of in-depth investigation and deliberation. One of them, *Fiqh al-Imām al-Ṣādiq*, was praised by Ṣadr as a masterpiece on understanding the social dimension of Islamic law.⁶² His last work, *al-Khomeini wā al-Dawla al-Islāmiyya* (Khomeini and the Islamic State), although it lacks an analytical thesis contains points critical of Khomeini's *al-Hokūma al-Islāmiyya*. It is probably the only known Shī'ī work of an eminent jurist that attacks the basic premises of Khomeini at the height of his successful revolution. The book has not been in publication since its first edition in 1979.

Maghniyya starts by questioning Khomeini's claims that the jurists are the heirs of prophets and imams to the leadership of the Islamic state. He employs rational and jurisprudential argument to refute such claims. He argues that the jurists are definitely not of superb qualities and attributes such as those of divinely chosen individuals, therefore the scope of their authority must correspond to their stature.⁶³ Maghniyya views that the level of authority must be proportional to the capacities of the leaders. He argues that God commissioned to the prophets and imams the all-comprehensive authority because they had special traits and direct links to Providence that made them immune to misusing the power of their office. And due to their infallibility, they deserve total obedience from the people because their rules and decision will always be for the best of the individual as well as the public interests. That is not so for the jurists, however. They are fallible human being who are "subject to oblivion, pride, deception, personal emotion and influence by the environment."⁶⁴ Taking this into consideration, they should not anticipate unquestionable obedience from people. Rationally speaking, the basic promise that Maghniyya is advocating for is that "difference in personal traits must correspond definitely to differences in deeds."⁶⁵ That is why infallible persons are more entitled to the selves of believers than the believers are to themselves, but not so for the jurists.

To support his thesis, Maghniyya resorts to citing the views and deliberations of well renowned Shī'ī jurists such as al-Anṣārī, Baḥr al-'Ulūm

⁶² Ṣadr, "al-Fihm al-Ijtīmā'ī li al-Naṣ" (The Social Interpretation of Religious Texts), in Ṣadr, *Akhtam al-Lak* (Beirut: Dār al-Zahra, 1982), p. 91.

⁶³ Muḥammad Jawād Maghniyya, *Khomeini wā al-Dawla al-Islāmiyya*, (Beirut: Dār al-'Ilm lil Malāyīn, 1979), pp. 61-2.

⁶⁴ *Ibid.*, p. 59.

⁶⁵ *Ibid.*, p. 61.

and Na'ini⁶⁶ who have reached the same conclusion.⁶⁷ Furthermore, he disputes the justifications for the governorship of the jurists that Khomeini provides in his *Islamic Government*, which states that taxes are instituted to finance government's activities and not for helping the poor and the needy only. No evidence, Maghniyya maintains, can be found in either the Qur'an or the Sunnah to affirm such a claim. He goes on to say that Khomeini "who has great interest in textual proof" has not produced such evidence.⁶⁸ In fact the religious text overtly states that the purpose of these taxes is for the welfare of the unfortunate and the importune.⁶⁹

In sum, Maghniyya sees that sovereignty during the infallible Imam's absence belongs to the people in general and not to the jurists only.⁷⁰ People, jurists among them, should elect government officials and representatives to make legislation, execute laws and establish order. Furthermore, he argues that the function of the state is not all concerning religious matters, but mainly is within the realm of administration and social affairs to which no religious texts or laws pertain.⁷¹ Therefore, the extrapolation of laws, Maghniyya advocates,

must be left for culture and for the experts to meet the general interests even if we are to imitate the West as long as it does not legalize the forbidden or prohibit the permissible.⁷²

Maghniyya's articulated views stem from his conviction that the nature of the state is contingent solely on the basic doctrine of its laws, practices and constitution, and not on the nature of the class of its leaders.⁷³ Moreover, the Islamic state, he maintains, can borrow the wisdom of others even in the form of regulations and legislative practices if it serves the general welfare of people. To support his views, Maghniyya cites textual traditions that value the reign of the just pagan ruler more than that of the unjust Muslim ruler because in the former the people will benefit from its justice and in the latter they will suffer from its tyranny.⁷⁴ By anticipating public resistance to his views on Islamic government, Maghniyya made reference to one of Iran's grand jurists and leaders who was vocal in his opposition to Khomeini, Ayatollah Shari'at Madari:

⁶⁶ Three prominent jurists of the nineteenth and early twentieth centuries whose works became the basic text books of religious studies in jurisprudence.

⁶⁷ Maghniyya, *Khomeini*, pp. 62-4.

⁶⁸ *Ibid.*, p. 100.

⁶⁹ *Ibid.*, pp. 99-103.

⁷⁰ *Ibid.*, p. 65.

⁷¹ *Ibid.*, pp. 65-6.

⁷² *Ibid.*

⁷³ *Ibid.*, p. 71.

⁷⁴ *Ibid.*, pp. 72-3.

The concept of Islamic government is vague, and has given the impression to others that it values rudeness and dictatorship. Such fear is reinforced by our refusal to add the word democracy to the slogan Islamic republic. The principle we are advocating is that the people govern themselves and that is what Islamic republic is, because it is not permissible for one individual or one class to rule alone. It is [the right] of people to elect their representatives to the parliament in free election, and the obligation of every government that wants to rule is to gain the confidence of parliament once it has been appointed by the president of the republic. And when the parliament legislates laws it must consider the views of the majority, for these laws will not be in conflict with Islam because the great majority of the people [in Iran] are Muslims.⁷⁵

Conclusion

The gist of this endeavor has been to trace the development of popular sovereignty in contemporary Shī'ī political thought. Needless to say, one can conclude that the contemporary Shī'ī jurists have different opinions and understandings of the basic political questions. Although they all have been graduates of the same traditional religious schools in Najaf or Qum, their views are far apart. The jurists I examined in this comparative study are renowned activists and as well have made major intellectual contributions in the field of jurisprudence. Yet each has raised his views in opposition to the other in subtle ways in order to achieve the best solution to the rising contradictions in their society. One must value the encouraging of such debate for the sake of contributing to the process of political development in that part of the world.

In this study I have expounded on the range of views of these jurists on the legitimacy of authority and who should inherit the transcendent sovereignty in our time. What is the scope of authority the legitimate leader should have? Can the legitimate rulers legislate or enforce new laws in conjunction with divine laws? Despite the existence of two main political schools of thought, the Statist and the Populist, this endeavor has shown that there is what one can call an Islamic political spectrum.

The Statist school believes that authority is divine, and that only the Transcendent Sovereign has the right to appoint rulers to lead the community. Jurists, because of their knowledge of the divine message and of their superb moral qualities, are responsible to govern. Many religious texts have been provided to indicate that only jurists are the heirs of

⁷⁵ *Ibid.*, pp. 74-5.

prophets, the source of guidance to people and the means to safeguard God's laws. People hence should obey their commands and submit to their ruling with no condition attached. It is the jurist who should extrapolate, not make, laws out the divine texts, enforce them on people, and establish justice and security within the community. It is not in the power of individuals to legislate in conjunction with God's laws because the divine scripture and the tradition of the Prophet has provided a comprehensive legal system to mankind. The duty of the Islamic ruler, therefore, is only to execute the divine will. As for the role of people in this holy environment, it is to act positively to the will of the legitimate government, i.e., voluntary obedience, because its rulings are for the good of the general public and of individual interests.

On the other side of the spectrum, the Populist school does not subscribe to the idea that the jurists are the only legitimate heir of prophets and imams. Their knowledge of jurisprudence qualifies them to be judges, and their piety makes them the source of guidance to others, but these merits do not legitimize them to be competent leaders. As a social phenomenon, the state is an instrument of justice, public security and social welfare, and is not concerned only with religious issues or matters of worship. Thus it needs more than jurists to administer its functions and run its activities. People as a whole are responsible for selecting experts of different scientific and technical fields to govern the state. God has advised them to run their affairs in consultation with each other, and the Prophet and Imams have had accepted the general opinions of the people. Therefore, general elections can be considered as a legitimate means to elect leaders and government's officials. Furthermore, people's representatives have the right to legislate laws and orders that are beneficial to public welfare and to the maintenance of social justice but do not violate divine scripture. In sum, the state should work for the social justice and welfare of the people, which is the main purpose of divine laws and commandments.

One can notice, however, that advocates of the Statist school are more liberal in their interpretation of religious texts. Their basic argument is rational, which is then justified by verses and Prophetic traditions whose meanings have to be inferred to support their thesis. They mainly rely on consensus of jurists' opinions or popular understanding to reinforce their thesis. The populists, however, are more strict in their views, so they tend to adhere to the literal limits of the text. If the scripture does not mention that the jurists should be rulers *per se* then one should take precaution (*ihtiyāt*) not to go beyond what has been revealed or known. For example, if the text portrays the jurists as guides to others and protectors of God's message, one should not view them as legitimate rulers,

besides being preachers and jurists. In the final analysis, it can be concluded that popular sovereignty has a more solid foundation in the religious texts than the supervision of the jurists.

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ISLAM IN CALIFORNIA: VIEWS FROM *THE MINARET*

In her wide-ranging, provocative essay on Islam and democracy, the Moroccan feminist Fatima Mernissi recounts a conversation with her Aunt Aziza, who asks after a broadcast of the evening news, "But why does no one explain this *dimūqrāṭiyya* [democracy]? Is it a country or an *ʿafrit* or an animal or an island?" Then Mernissi tells us how her aunt turns to perform her ablutions in order to pray.¹ Later, while discussing the Qurʾān and the modern construction of knowledge, she observes that Muslims who have immigrated to Europe are hindered from engaging in a mutual exchange with the dominant cultures there by the petro-dollars that wealthy Persian Gulf countries use to create centers for the transmission of traditional Islamic knowledge. Cloaked by the sacred, this investment, she argues, cultivates "*ṭāʿa* (obedience to authority) and the docility and proverbial fatalism that are continually dinned into our ears."²

Voices such as Mernissi's, reinforced by Western discourses about Islam such as those emanating from essays by Samuel Huntington, as well as Martin Marty and R. Scott Appleby's monumental fundamentalism project, convey the impression that Muslims are largely estranged from the West, both in their native lands and in their adopted homes. Indeed, Mernissi even talks of a "fear" of democracy, freedom of thought, and individualism. Such discourses generally fail to take into consideration that such issues—along with civil society, pluralism and human rights—are today being actively discussed and debated by Muslims in many different contexts, from Kuala Lumpur and Cairo to Paris and Los Angeles. Rather than testifying to a fundamental estrangement, this modern discourse actually represents a process of appropriation.

This study is concerned with the formation of Islam in California. In reaction to research which conceives of Islam in the modern world as a juxtaposition of immutable religious norms with rapid historical and cultural change, it argues that Islam is more adequately grasped when conceived as a discursive entity appropriated and shaped by people and institutions in a finite cultural milieu. Islam as construed in California will therefore bear the imprint of the interactions of a diversified Muslim

¹ Fatima Mernissi, *Islam and Democracy: Fear of the Modern World*, trans. Mary Jo Lakeland (Reading, MA: Addison-Wesley, 1992), p. 52.

² *Ibid.*, p. 81.

minority population with each other and with a complex configuration of non-Muslim individuals and groups in a secular milieu. Validation for this hypothesis will be sought by a description and content analysis of *The Minaret*, the monthly (formerly bimonthly) publication of the Islamic Center of Southern California, covering a period of ten years. Data has also been obtained through interviews and fieldwork conducted intermittently during this period.³ By focusing on an Islamic publication intended for Muslims, this endeavor has the advantage of adumbrating how Muslims represent Islam to themselves over an extended period of time. Such a systematic textual analysis has not yet been attempted by researchers working on Islam in America, who have preferred to base their work largely on data from non-Muslim sources, fieldwork, and statistical questionnaires, or who have chosen to focus on the lives of prominent Muslims instead of on institutions.⁴

I. The Emergence of the Islamic Center and *The Minaret*

The history of *The Minaret* is interwoven with the history of the Islamic Center of Southern California. The beginnings of the Center can be traced to 1953 when a small group of Arab Muslim immigrant families and converts in Los Angeles created the Muslim Foundation of America to foster the pursuit of religious obligations, particularly prayer and religious learning. In 1967 this organization changed into the Islamic Foundation of Southern California, and moved to a wood-frame house it had acquired on St. Andrews Place, near the intersection of Washington and Western. This was in a neighborhood that had sprung up in L.A. between the two world wars, evolved into a predominantly African-American residential area, and is now home to a growing community of Central American immigrants.

³ The impetus for this research was initially provided by the University of California at Santa Barbara Department of Religious Studies "Religious Contours of California" project, 1984-86, funded by the California Council for the Humanities. An early draft of this article was delivered at a UCSB conference, *Pluralism as a Religious Tradition: The Case of Southern California*, organized by Wade Clark Roof and G. Gordon Melton 1994. I am grateful to the Council, the UCSB Academic Senate, and the UCSB Interdisciplinary Humanities Center for funding this research. Richard Callahan and Pratap Kumar provided invaluable assistance with compiling the database for *The Minaret's* contents.

⁴ See, for example, Yvonne Yazbeck Haddad and Adair T. Lummis, *Islamic Values in the United States: A Comparative Study* (New York: Oxford University Press, 1987); and Y. Y. Haddad, ed., *The Muslims of North America* (New York: Oxford University Press, 1991). Community-based studies can be found in Earle H. Waugh, S.M. Abu-Laban, and R.B. Qureshi eds., *Muslim Families in North America* (Edmonton: University of Alberta Press, 1991); Y. Y. Haddad and Jane Idleman Smith, eds., *Mission to America: Five Islamic Sectarian Communities in North America* (Gainesville: University Press of Florida, 1993); and idem, *Muslim Communities in North America* (Albany: State University of New York Press, 1994).

In 1975, the Foundation changed its name to the Islamic Center of Southern California, and in the summer of 1977 it moved to its present location on South Vermont Avenue, just two miles north of its previous site. The opening of the new center was marked by the performance of the communal holiday prayer rites that mark the end of the Ramadan fast (*ʿĪd al-Fitr*), led by Shaykh ʿAbd al-Ḥalīm Maḥmūd, the famous Grand Imam of Egypt's al-Azhar University—one of the foremost centers of learning in the Muslim world.⁵ The Center occupies a large two-story building located next to a burgeoning Korean business district. This area does not, however, have a large number of residents from Middle Eastern extraction. Rather, the Center benefits from its accessibility to people who work in the L.A. Civic Center and the Wilshire district, or who attend nearby schools such as the University of Southern California, the University of California at Los Angeles, California State University at Los Angeles, and Los Angeles City College. It also draws members from outlying areas such as West L.A., Santa Monica, Hollywood, Pasadena, and, to a lesser extent, Thousand Oaks, the San Fernando Valley, Orange County, San Gabriel, and Long Beach. The Center is conveniently located for commuters on an important north-south thoroughfare, near three major freeways. Currently it has about four hundred members and accommodates over one thousand for Friday prayer.⁶ It may not be the only Islamic organization of its kind in the southern California region, but it is one of the first and most successful, along with the Islamic Society of Orange County.⁷ The Center's "mission" statement provides clear indication of its orientation within the L.A. milieu:

to establish an Islamic presence in the United States capable of effective interaction with the American society (Muslims and non-Muslims) and extending Islam to the new generation.⁸

For centuries, one of the most distinctive features of mosque architecture has been the minaret—a tower commonly used for the call to

⁵ Data obtained from a Center visitors brochure published in the early 1980s.

⁶ Islamic Center of Southern California, "Welcome to the Center," January 1994 (brochure). The Center also claims that up to six thousand have attended its *ʿĪd* (holiday) prayers. Lately, it has held the *ʿĪd* prayers that mark the end of Ramadan in the L.A. Convention Center to accommodate the crowds of participants. One study estimates that the center has about 1,000 active members; Ron Kelley, "Muslims in Los Angeles," in Haddad and Smith, eds., *Muslim Communities in North America*, p. 136.

⁷ "Islamnet" on-line database (2 August 1994) lists more than eighty Islamic organizations and centers in the southern California area, out of a total of more than 150 such organizations statewide. In greater Los Angeles, there are at least twenty-two. A more systematic field study of Islamic centers in the L.A. estimates that there are less than forty; Kelley, "Muslims in Los Angeles," pp. 138-39, 166 n. 3.

⁸ Islamic Center, "Welcome to the Center" (brochure).

prayer. Unlike other mosques and centers that have sprung up in California recently, the Southern California Islamic Center has never had one. Instead, it has established a magazine, *The Minaret*, which now proclaims itself to be "America's Source on Islam." It is a significant part of an active outreach program (*da'wa*) that the Center has created to promote Islam and to combat erroneous understandings held by both Muslims and non-Muslims.⁹

The Minaret has gone through three stages of development since its inception in 1978, the year the Center opened. It began as a one-page newsletter for Center members, then quickly expanded to four pages. The September 22, 1978 issue, for example, contained excerpts from a talk on challenges facing Muslims in the West and from a short reprint on the cultural role of the mosque. There were listings of recent marriages, deaths, and conversions in the community. The last page featured reports on *Īd al-Fiṭr* prayers at the Center and on the results of a recent fund-raising drive. It also quoted a *ḥadīth* in favor of Muslim brotherhood. In the early eighties, this format grew to a length of twelve pages, including advertisements. The inclination to use Arabic script in the masthead, Qur'ān citations, and *ḥadīths* flagged noticeably during this period, which indicates that the editors were trying to reach a larger, non-Arabic-speaking readership. The next stage began at the end of 1984 when the editors chose to adopt a longer, magazine-style format. For example, the twenty-eight-page September/October 1985 issue had a cover story on the morality of Reagan's Star Wars defense system, plus articles on apartheid, the first Muslim astronaut, Islam and the media, together with editorials, letters to the editor, news briefs and announcements. In 1989, *The Minaret* embarked on the latest phase of its publication history. A reconstituted editorial board decided to make it a subscription-based publication with a national, rather than strictly southern California, readership.¹⁰ This was not a radical departure, but the result of the experience the magazine had accrued during the foregoing years.

Since 1993, the magazine has been published and distributed under the auspices of Multimedia Vera International (MVI), the Center's key media department. The name of this organization captures much of the spirit of both the Center and the magazine. It is inclined to communicate

⁹ Other aspects of the Center's media program are publication of a monthly newsletter for the local congregation, production and distribution of Islamic audio and video cassettes, publication of Islamic literature, operating a bookstore, and running a speaker's bureau. It also maintains affiliations with two other Muslim media organizations: the Muslim Public Affairs Council (MPAC) and the Muslim Women's League, a branch of MPAC. See Islamic Center of Southern California, "Muslim Media," January 1994 (brochure).

¹⁰ *The Minaret* 10 (Summer 1989): 5 and Aslam 'Abdullah, Editor-in-Chief, in an interview with the author, conducted on 16 September 1994 in Los Angeles.

its message using non-traditional methods, as indicated by the adoption of "multimedia" and the Latin word for "truth" (instead of the Arabic term), and it is global in outlook. *The Minaret* is managed by five individuals who report to a nine-member board of advisors. In its early days, it was staffed mostly by young men and women volunteers from the community, including journalism students, writers, and English teachers. It has had two female editors-in-chief, Laila El Farra and Aida Nazif. In recent years its staff has become more professional and has shifted to a full-time, salaried status. The current editor, Aslam 'Abdullah, studied journalism in London and has worked extensively as a reporter. The staff also includes individuals responsible for layout, advertising, and art work. A woman, Jihan Hamdan, is in charge of the subscription department.

More than 125 writers have contributed to *The Minaret* since the mid-1980s. The majority are men from Arab Muslim backgrounds, but there are significant numbers of women, non-Arabs, converts, and even a small number of non-Muslims. Mohja Kahf, for example, has written a series on notable women in Islamic history. Laila al-Marayati has written on AIDS, childless couples, adolescence, and the Clinton health insurance initiative. Jackie V. Carter, a convert, wrote articles on converts, family life, and inter-faith dialogue in 1985-86. Dr. Nancy M. Lydick, another female convert, has recently inaugurated an advice column concerned with family and personal matters. A male convert who once served as a German diplomat contributed an essay on Islamic philosophical discourse about God (March/April 1994). The magazine has also featured contributions from prominent non-Muslims such as John Esposito, the Islamic studies scholar, Art Torres, former state senator from Los Angeles, and Tony Lake, a national security advisor.

A group of about five in-house writers lends consistency to *The Minaret's* contents. Maher Hathout, a founding member of the Center and president of the magazine's board, writes on moral issues and Islam's place in American society. Fathi Osman, a respected Islamic scholar and former editor-in-chief of *Arabia: The Islamic World Review* writes on the Qur'an and "ideology." Aslam 'Abdullah covers contemporary issues affecting Muslims in the Middle East, Africa, the former Soviet Union, Asia, and the United States. Nazim Karim focuses on Africa, but has also written on Bosnia and the L.A. earthquake. Salām al-Marayati, director of the L.A.-based Muslim Public Affairs Council, writes on Islam and U.S. politics.¹¹ The editor-in-chief welcomes a diversity of Muslim and non-Muslim viewpoints in the magazine. His position in this regard is very close to that of Aida Nazif, one of his predecessors, who wrote,

¹¹ These in-house writers were identified by Aslam 'Abdullah in an interview with the author in 1994. There have been several changes since that time.

The Minaret represents the basic policies and values of the Center, but there's always room for diversity in many issues. We can learn from each other by disagreeing and communicating with each other with respect.¹²

As this statement suggests, the range of diversity is in large part defined from the point of view of the Center. As will become apparent in the following pages, there is little room allowed for writers who espouse radical Islamic ideologies, as well as distinctly Shī'ī and Sufi ideas. Women's voices, on the other hand, are more audible in *The Minaret* than other publications. They have clearly played a key role in the development of the magazine, and the present editor states that it is up to them to determine how and what they will contribute to it in the future.

How successful has *The Minaret* become? While it has attained a niche for itself among middle-class Muslims in southern California, as indicated by its growth, content, and advertising base, it has had to work diligently to establish a national base. A 1989 editorial decried the lack of support for Muslim publications in the United States. Among the estimated three to eight million Muslims living here, it claimed,¹³ there was not more than a combined total circulation of 150,000 Muslim periodicals in any language. *The Plain Truth*, a magazine published by the Worldwide Church of God, on the other hand, is distributed free of charge to millions of readers.¹⁴ To try to change this situation, *The Minaret* is striving to appeal to the large numbers of English-speaking, prosperous Muslims in the U.S. "Their level of media consciousness is thousands of miles ahead of the rest of the world Muslims (sic)," writes Aslam 'Abdullah.¹⁵ In order to better gauge the needs and views of its readership, *The Minaret* intermittently conducts reader surveys. Currently, the editor-in-chief is pleased with the responses he has been receiving and the positive feedback the magazine's contributors receive when they deliver talks at mosques and centers outside California. Moreover, he reports that as of summer 1994, subscriptions had grown to about 12,000, with fifty to one hundred new subscriptions and renewals every week.

The distinctive image the magazine is creating for itself can be gauged in part by comments found in the letters to the editor. A letter from Atlanta states,

¹² Aida Nazif, "Support Your Islamic Magazine," *The Minaret* 6 (January/February 1985).

¹³ A somewhat more careful assessment of the size and composition of the U.S. Muslim population can be found in Carol L. Stone, "Estimate of Muslims Living in America," in *Muslims of America*, pp. 25-36. Stone estimates that as of 1989, there were "perhaps" four million Muslims in the U.S. Her conclusion, however, is based mostly on 1980 census data and exaggerates the number of the Iranian Muslim immigrants.

¹⁴ Aslam 'Abdullah, *The Minaret* 10 (Spring 1989): 7.

¹⁵ *Ibid.*

Your coverage of the LA earthquake was excellent. I like the Muslim angle which I found missing in all of the Muslim media. I have noticed that *The Minaret* tends to identify with issues concerning the country in contrast with other magazines that have a very narrow focus. Most of the time Muslim magazines write for themselves and not for others. *The Minaret*, I think is experimenting with a new approach and I hope it will succeed.¹⁶

A San Diego reader writes,

I just received your latest issue (January/February 1994). I was astonished to see a quite lengthy article about sex. This was the last place I would expect to see such a daring article. I applaud your courage in breaking the traditional, culturally induced social taboos in discussing the issue.¹⁷

II. Format

The magazine uses a news magazine format with cover stories, feature articles, black and white photos, and art work. Articles are seldom more than three pages in length. For much of its history, it has had departments for editorials, letters to the editor, national and world news reports, women and society, business and finance, economy, book reviews, personal reflections, and political cartoons. In the past it has experimented with a special children's section. Recently, the magazine has added departments to cover human rights, Muslim communities in the United States, history, youth, education, the media, and an advice column.

Two departments have carried specifically Islamic designations. The "Seerah" department, which contained narratives and commentary pertaining to the life of the Prophet Muḥammad, ran from the mid-eighties until 1991. Among the topics it addressed were the coming of Muḥammad's first revelations (January/February 1985), the emigration to Abyssinia (September/October 1985), the defeat of Muslim forces at Uḥud (Spring 1988), Muḥammad's humility (Winter 1990), and the conclusion of a peace treaty with Muslim opponents in Mecca (Fall 1990). In late 1991, it was supplanted by the "Quran" department, which is still running. This new section provides verses from the Muslim scripture, sometimes with commentary, concerning questions of basic doctrine and ethics. In recent issues it has affirmed the value of Muslim unity on the occasion of the *Īd al-Fiṭr* (March/April 1994), and discussed topics such as the cre-

¹⁶ *The Minaret* 16 (May/June 1994): 9.

¹⁷ *The Minaret* 16 (March/April 1994): 9

ation of the universe (May/June 1994), the importance of acquiring knowledge (July/August 1994), and the virtues of caring for and respecting the elderly (November 1995).

The amount of space allotted to advertising in the early years was very small—from two to four pages out of twenty-eight (7% to 14%), mostly for Muslim professionals and Muslim-owned businesses in Southern California. Since the early nineties, the advertising content has grown in size and variety, and improved in quality. The November 1995 issue, for example, is about 29% advertisements. California-based sponsors still predominate, but new advertisers have joined from Massachusetts, New York, New Jersey, Maryland, Washington, DC, Virginia, Michigan, Illinois, Missouri, Kentucky, Alabama, and Oregon. Saudia airlines and the Malaysian government have also placed ads in recent issues. In this development, we can see one of the results of the decision to become a magazine for a U.S.-based Muslim readership rather than a strictly local Californian one.

III. From Columbus to Computers: The Cover Stories

Study of the subjects treated in *The Minaret's* cover stories not only yields an understanding of where it chooses to place its emphasis, but it also provides a more specific idea about how it construes Islam in the context of California and its distinctive multicultural society. Moreover, such a study also reveals the kind of Islam the magazine wishes to promulgate among co-religionists elsewhere. As is the case with non-religious mass-market periodicals such as *Time*, *Newsweek*, or *People*, *The Minaret's* cover stories reflect values that the editorial and marketing staffs wish to convey to their readership. Unlike these publications, however, its cover stories focus more on topical matters and community concerns rather than on individual personalities.

Table 1 classifies and ranks the contents of cover stories from thirty-six issues published between 1984 and 1994. In any given issue, the cover story actually consists of several short articles and editorials on a common topic. It is usually selected to coincide with a major issue or event that has arisen on the American or world scene. For example, the cover the Fall 1987 issue is a full-face photograph of a weary African-American man superimposed on photos of other impoverished men, women and children of various ethnicities. The headline reads "The Homeless of L.A." Inside, discussion of the topic begins with an article on the politics of being homeless in Los Angeles. This is followed by an interview with a formerly homeless female convert to Islam, an essay calling for Muslim action to combat homelessness, and a summary of a report on the problem sponsored by the L.A. City Attorney's Office. The cover of

the July/August 1992 issue shows Columbus looking out to the horizon through a spyglass as his three ships set forth, crosses clearly imprinted on their sails. The headline is "Columbus: the Celebration, the Controversy"—the title of the main article about the quincentenary celebration. It is accompanied by stories on the grandeur of Islamic civilization in Spain and its connection to the New World, followed by an editorial on the history of Muslim persecutions at the hands of Spanish authorities five centuries ago.

In order to accurately reflect their subject matter, I have classified each one under three to five different categories. The topics of the L.A. homeless cover story as reflected in Table 1 are Politics, Society, Ethics, Non-Muslims, and Los Angeles.⁷ For the Columbus story, they are Politics, History, and Non-Muslims. There was not a sufficient number of entries in the sample as a whole for the categories "Spain" and "Latin America" to warrant inclusion in the table.

TABLE 1

Leading Cover Story Topics, 1984-1994

Topic	No. of Covers	Ratio (from 36)
Politics	23	63.89%
Society	16	44.44
History	11	30.55
US	11	30.55
Ethics & Morality	10	27.78
Law	7	19.44
Non-Muslims	6	16.67
Dialogue	5	13.89
Muslim Organizations	5	13.89
Crime	4	11.11
Middle East/Persian Gulf	4	11.11
Palestine	4	11.11
Qur'an	4	11.11
Family	3	8.33
Health	3	8.33
Islamic Center	3	8.33
Los Angeles	3	8.33

Political topics were treated in nearly two-thirds of the issues, far more than any other subject. As indicated by the two examples just cited, politics is construed by the magazine in the context of living in a democratic

society, where political and cultural diversity are tolerated, and where Muslims are a minority. It is not conceived in the way "political Islam" is usually understood—as religiously-framed discourse used by non-democratic, exclusivistic governments and radical groups in Muslim-majority countries to monopolize or seize power.

The article on the Columbus controversy, for example, decries the brutal treatment of Native American peoples at the hands of the Spanish, and then the forced expulsion and conversions of Jews and Muslims in Reconquista Spain. In this context, the author states,

It is not surprising that community activists, including those active on behalf of Palestinian rights, are joining with Chicanos, Latinos and Native Americans to form Resistance 500 groups across the country.¹⁸

Explicit reference to such a coalition of ethnic interest groups is paradoxical. On the one hand it is recounted in a periodical that identifies itself in relation to a specific religion, it associates the Palestine question with Columbus, and suggests Chicano and Latino antipathy to Spanish civilization. On the other hand, it conveys the idea that diverse religious and ethnic minorities are best served by political action alliances, links the experience of Muslim expulsion from Spain and the fate of Native Americans with the displacement of Palestinians and the establishment of the modern Israeli state, and it acknowledges the distinctions between Chicano, Latino, and Spanish self-identities. Following up on these points, the ensuing editorial calls for the revitalization of Islam on the Iberian peninsula and the repeal of any laws that deprive the civil rights of Muslims in the Americas. "We should find common ground," it says, "with the Mexicans and other Latin Americans, who have suffered those abuses over the past four hundred years."¹⁹

The treatment of homelessness, another kind of displacement, in the Fall 1987 issue begins with Salām al-Marayati's non-religious discussion of its social, ethical, and economic causes and a critical assessment of governmental measures on the city, state, and federal levels to ameliorate it. Specifically Islamic perspectives on the subject are conveyed in follow-up articles. The Muslim convert contrasts the suffering she experienced at the hands of non-Muslims as a homeless person with the generous treatment she received from co-religionists in Los Angeles, particularly those at the Center.

¹⁸ Audrey Shabbas, "Columbus: The Celebration and the Controversy," *The Minaret* 14 (July/August 1992): 10.

¹⁹ "Lest We Forget," *ibid.*, p. 17.

I feel blessed. I feel fortunate that my faith has been tested. Now that I am in ease, I realize both sides of the tracks. I know how it feels to be without and to have. I feel very strong that no Muslim women should ever have to walk the streets at night. I do what I can now that I have a home to help others.²⁰

The message she says that she wishes to convey through the magazine to other Muslims is that they need to experience and understand what it means to be a homeless person, and to establish shelters for them. A more demanding call for Muslim organizations to address the homeless problem is contained in the next article, written by an advisor to [former] L.A. councilman Robert Farrell. The author uses Qurʾān citations to urge readers to take up the cause (*jihād*) in the interest of social justice for all humans, not only Muslims.

To a Muslim, basic human rights apply to all human beings equally. These include food, clothing, shelter and respect for human dignity. To be denied these rights is, in essence, to be oppressed. The Qurʾān states: And why should you not strive in the cause of Allah and of those who, being weak, are ill-treated and oppressed? (4:75)²¹

Eleven of the politically slanted cover stories pertain to the wider American context. These include coverage of presidential elections, the extent of Muslim involvement in the democratic process, issues such as the Star Wars defense system, prayer in public schools, and the death penalty, as well as the political implications of the New York World Trade Center bombing for American Muslims, and the U.S. intervention against Iraq in 1990-91. Of the remaining twelve cover stories in this category, five deal with Middle Eastern political topics (the Palestine question, Iran, and the Gulf conflict), the others with developments in nations such as Spain, South Africa, China, Russia, Bosnia, and Malaysia. The emphasis in such coverage is either placed on the accomplishments of Muslim peoples living in these countries, or on their struggles against non-Muslim political and cultural orders.

Cover stories concerned with political issues such as those just described also involve social dimensions. In fact, nearly half of the cover stories deal with this subject, and nearly all of them pertain to American society. Aside from the social aspects of homelessness and the Columbus quincentenary, *The Minaret* also has devoted covers to representations of

²⁰ Amira El Farra, "Interview with a Sister," *The Minaret* 8 (Fall 1987): 16.

²¹ Sermid Al-Sarraf, "Where are the Muslims?," *ibid.*, p. 18. Reflecting a sensitivity to outside perceptions of Islam, the Qurʾān verse in this statement is rendered into English rather loosely. The Arabic text uses the verb for "fight" (*qātala*), not "strive" (*jāhada*). This verse has been widely used in Islamic activist circles abroad.

Islam in the media and school textbooks, anti-Muslim violence in the U.S., programs for imprisoned Muslim juveniles, the Los Angeles riots, and the Northridge earthquake. The issue on the L.A. riots (May/June 1992) offered relatively extensive coverage of the subject, including assessments of the social and economic conditions that contributed to them, interviews with law school professors and students about the shortcomings of the justice system, as well as comments from people living in south-central Los Angeles. It summarized the views expressed at inter-ethnic symposia conducted at the Center concerning the problem of racism and how Muslims can help prevent another such crisis from erupting. The Muslim angle is represented as being particularly important because, according to Dr. Hathout,

Islam is totally color blind. It does not discriminate against people on any basis. Islam demonstrated to the world that it was capable of tackling the issue of racism in a practical way. Under the leadership of the Prophet Muḥammad, *Muslims formed a pluralistic society*.²² (Italics added)

This is a favorite claim forwarded by contemporary Muslims on behalf of their religion, one that resonates particularly well among assimilationists. However, Hathout acknowledges that there are co-religionists who have not yet overcome their racial prejudice.

History for Muslims can be construed in basically two general ways. The first is history as sacred narrative imbued with the voices and exemplary actions of the noble first generation (*salaf*) of Muslims under the leadership of the Prophet Muḥammad in seventh-century Arabia. This narrative, along with the Qurʾān, provides the foundation for Islamic codes of law and moral conduct. Because of its close linkage to divine revelation, it is essentially different from another type of history—that which is also concerned with the lives of people, institutions, and places, but which, though always instructive, is not considered to be foundational for the religion.

The Minaret has construed history in both of these ways, employing the first to affirm Islamic values relevant to a pluralistic, dynamic cultural milieu. It usually construes history in the second form when it seeks to explain the background of contemporary issues. References to sacred history were the sum and substance of the old "Seerah" column, and occur intermittently among the cover stories. Dr. Hathout's remarks above, for example, speak of the pluralistic nature of the Prophet's community. The

²² "Can We Prevent Another Riot?," *The Minaret* 14 (May/June 1992): p. 15. Fathi Osman uses citations from the Qurʾān to support a similar point of view expressed at the conclusion of his article in the same issue; "The Melting Pot Finally Boils Over," *ibid.*, p. 21.

homeless Muslim convert is quoted as having looked to the Prophet's ascetic lifestyle in order to deal with her hardships. The only cover story, however, to have emphasized Islamic sacred history to a significant extent was one about the Hajj, the annual pilgrimage to the holy sites in Mecca. The article was directed specifically at Muslim youths so as to help mold their thoughts and actions, "and inspire them to undertake their responsibility for an effective role in contemporary society."²³

Of the ten remaining cover stories where historical discourse occurred, nine provided background information for global issues and crises. In addition to the Columbus story, and one on the history behind the 1993 World Parliament of Religions, these included a dual survey of the history of political turmoil in China and of the life of Ayatollah Khomeini, a review of major developments in the 1980s, three capsule histories of oil development and foreign involvement in the Gulf region, a report on the legacy of Islam in the Soviet Union, and a background story on conflict in the Balkans. These stories were linked to such major events as the democracy movement in China, the death of Khomeini, Iraq's invasion of Kuwait, the Soviet Union's demise, and the Bosnian genocide. Surprisingly, only one of the cover stories dealt purely with history in an American context: a story on the 1992 presidential election included a feature on the history of the electoral college system. When it comes to mundane historical discourse, therefore, it is reasonable to conclude that *The Minaret* prefers to focus on regions where sizable Muslim populations have lived for centuries. This is probably to appeal to the concerns of readers who have immigrated from Muslim lands, and to foster consciousness of the wider Muslim world beyond the shores of North America among youths and converts.

The cover of *The Minaret's* January/February 1986 issue depicts a parchment copy of the United States Constitution propped up against an ornately decorated copy of the Arabic Qur'ān. In front of both stand the equally balanced scales of justice. This image aptly represents how the publication approaches ethical and moral issues. Like politics and society, it approaches such subjects in the context of life in California and America, not as decontextualized ethical discourse. Thus, instead of formulating a normative statement about how Muslims should act in order to attain eternal salvation, it discusses contemporary moral issues and advances plans of action in accordance with what it holds to be the best Islamic values. The stories on homelessness and the Columbus celebrations exemplify this position. In another cover story (January/February 1992), the magazine looked at "the moral agenda for the '90s," and fo-

²³ Fathi Osman, "To the Sanctuary of Abraham," *The Minaret* 13 (Summer 1991): 13.

cused on an inter-faith forum about sex and morality in the U.S. that had been conducted at the Center. It included reports on the remarks of the keynote speakers (Cardinal Roger Mahony, Imam Warith Deen Mohammad of the American Muslim Mission, and radio talk show host Dennis Praeger) and interviews with an ecumenical affairs representative from the L.A. Archdiocese, the Imam of a mosque in an L.A. African-American neighborhood, Rabbi Alfred Wolf of the Wilshire Boulevard Temple and the Skirball Institute on American Values, and Dr. Maher Hathout of the Islamic Center. The issue also featured a fact sheet on sexually transmitted diseases, including AIDS, and reported, however briefly, on protests against the forum organized by L.A. area gay and lesbian groups.

Aslam 'Abdullah, the chief correspondent, framed this story in terms of the overall decline of morality in the country, saying it was time for people to recognize that American Muslims were ready to help change this situation for the better. "Without assuming a self-righteous role," he wrote, "they are keen to work for tolerance and peace and want America to take a self-examination of its present lifestyles."²⁴ In his interview, the L.A. Imam told 'Abdullah,

We want to be more visible in society. We want to be seen on moral frontiers. On abortion, drugs, homelessness and human dignity; we want the message of Islam to be known. It is the collective responsibility of Muslims to share their religion with others. Muslims must not confine their religion inside their mosques or centers.²⁵

Hathout, who chided Muslims for being too "introverted" on moral issues, defined what appears to have been the majority view of those attending the forum—that adherence to a "safe sex" ethic was in fact detrimental to the moral and physical health of American society. He also hints that it may even contribute to the incidence of AIDS, which an accompanying article says has reached epidemic proportions. Feeling that "immorality has taken over," he indicated that he planned to form an alliance of religious people to work with families and community leaders on the issue.

Table 1 and the foregoing discussion show that *The Minaret's* cover stories pay significant attention to non-Muslims and dialogue. Given the multiplicity of religious communities and outlooks in California, and given the subordinate and sometimes illegal status traditionally assigned to religious outsiders by Islamic law and authorities in regions where it prevails, what point of view does the magazine seek to promote among its readers *vis-à-vis* these religions and their adherents? The most direct way

²⁴ Aslam 'Abdullah, "The Moral Agenda for the 90's," *The Minaret* 14 (January/February 1992): 13.

²⁵ Interview with Imam Sadiq Saafir, *ibid.*, p. 16.

to address this question is to examine statements made in the magazine's special "Islam and Other Religions" issue (July/August 1993), sponsored by the Islamic Host Group of the Parliament of World Religions.

This issue was published in anticipation of the convocation of the second Parliament of World Religions in Chicago during summer 1993. It highlighted Muslim involvement in and commitment to this event, and it included excerpts from the writings of Mohammed Alexander Russell Webb, an American convert who was the chief Muslim representative at the first Parliament in 1893. These excerpts were concerned with correcting misunderstandings Americans have of the "real" Islam. *The Minaret's* staff also provided balanced descriptions of the religions represented at the conference and of ten of the leading religious communities in the United States. Such articles serve to foster dialogue by identifying misconceptions held by non-Muslims and by improving Muslim knowledge about other religious groups.

However, it is Fathi Osman, one of the in-house writers, who best takes out the magazine's position on the relation between Islam and other religions. This position, which generously invokes the Qur'ān for support, consists of two points. The first makes the deistic argument that despite their physical and cultural differences, all humans share a "common spiritual compass" and moral sense that makes them equal before God. Following from this, and since only God can judge human beliefs and actions, Muslims are required "to accept and respect human physical and cultural differences."²⁶ Secondly, Osman argues that history shows that "the egalitarian and tolerant society, state and civilization of Islam provided the essential requirements and opportunities for the human genius of different beliefs to flourish without hindrance."²⁷ According to the writer, Jews, Christians, polytheists, Zoroastrians, Sabians, Hindus and Buddhists all benefited from this "open cosmos" as long as they did not combat Muslims because of their religious beliefs. Even irreligious free thinkers were tolerated, he claims. Today, in an era of "global pluralism," it is up to Muslims to continue to interact constructively with others.

Thus Osman is engaged in representing Islam as having a strong pluralistic character, which he places in the most favorable light possible. However, he neglects to note that nearly all the historical examples to which he alludes come from contexts where Islam was the religion of state. How are Muslims to regard people of other religions and opinions in a milieu such as California, where they are a minority, and where Islam does not rule? This question is briefly addressed by the next article in

²⁶ Fathi Osman, "Islam and Other Religions," *The Minaret* 15 (July/August 1993): 19.

²⁷ *Ibid.*, p. 21.

the magazine, which expresses admiration for the tradition of classical liberalism that it sees as the ideological basis for modern Western societies, but is repulsed nevertheless by the West's "godless materialism." Seeking new opportunities and escaping political oppression, large numbers of Muslims have migrated to these societies in recent years. Having done so, they should be actively working to counteract materialism in order "to build a healthy polity" and foster "the ideals of freedom of conscience and human dignity" that are common to both Islam and liberal ideology. Beyond this, the author maintains, Muslims are obliged to invite people to Islam, but not to convert them.²⁸ The strategy is one that calls for constructive engagement with the adopted culture to improve it and advocate Islam to its members.

Quotations from the Qur'ān occur frequently in cover stories and feature articles in support of positions adopted by *The Minaret's* writer concerning contemporary issues. This is a common feature of most modern Islamic publications, and is part of a tradition in Islamic literature that goes back to the earliest periods of the religion's history.²⁹ Besides applying the Qur'ān to modernity, though, *The Minaret* has also had a cover story on bringing modernity to the Qur'ān. The July/August 1994 issue on electronic media describes a number of programs for IBM and Macintosh environments that are designed to greatly facilitate searching Arabic and English editions of the text. Many of these programs include additional texts, such as commentaries and ḥadīth collections in translation. Some are designed to teach users how to correctly recite the Arabic text. Others deal with historical and legal subjects. Several even make it possible to calculate the prayer times for hundreds of places around the world. Most of this software is being distributed through outlets in the U.S. as a resource for Muslims who want to learn more about their religion. As is the case with all technology, the effects of this development on its users have yet to be determined. Will it bring about greater uniformity in beliefs and practices, or lead to more individuality? Will it enhance the educational mission of Islamic centers and mosques, or will Muslims rely more on self-study in their own homes? The article does not deal with these questions directly, but seeks to underscore Muslim involvement in this electronic "revolution" and explore its possibilities.

²⁸ Abidulah Ghāzī, "Islam and Religious Pluralism," *ibid.*, p. 24.

²⁹ For example, see the letters on free will attributed to Ḥasan al-Baṣrī (d. 728); John A. Williams, *Themes of Islamic Civilization* (Berkeley: University of California Press, 1982), pp. 161-64.

V. General Patterns of Coverage

How does the subject matter of the cover stories compare to the rest of the articles and editorials published in *The Minaret*? Are they in congruity with each other, or are there significant disparities? Does the generally liberal profile of the magazine reflected by the cover stories still hold when other sections of it are scrutinized?

Table 2 ranks all cover stories, feature articles, and editorials contained in the thirty-six issues used for this analysis by topic frequency.

TABLE 2

Cover Story, Feature Article and Editorial Topics, 1984-1994

Topic	No. of Articles	Ratio (from 304)
Politics	152	50.00%
Society	99	32.5
Non-Muslims	67	22.04
History	54	17.76
Ethics & Morality	49	16.12
Dialogue	32	10.53
Education	26	8.55
Qur'an	25	8.22
US	25	8.22
Health	23	7.57
Media	23	7.57
Muslim Organizations	23	7.57
Bosnia	22	7.24
India	21	6.91
Law	19	6.25
Palestine	19	6.25
Los Angeles	18	5.92
Women	18	5.92
Children	14	4.61
Crime	12	3.95
Islamic Center	12	3.95

Comparison reveals that the overall ratios are smaller in the second grouping than in the first, as one would expect to be the case when cover stories are pooled with other sorts of articles. Nevertheless, the two groups are highly commensurate. Four of the top five topics in Table 1 are in the top five topics of Table 2; seven of the top ten in the former appear in the top ten of the latter. The most notable differences are relative decreases

in articles pertaining to the U.S. law, Muslim organizations, and crime together with a relative increase in the number of articles about relation with non-Muslims. Table 2 also shows the addition of articles dealing with education, the media portrayals of Islam, Bosnia, India, and women and children.³⁰ Rather than being anomalous or disparate, however, these new categories are in conformity with the priority *The Minaret's* staff has given to contemporary subjects of a political, social, or moral stamp that also tend to involve relations with non-Muslims. Above all, the table indicates that when the magazine addresses these topics, it is from the standpoint of Muslims living in contemporary North America looking out to the world around them, not retreating into the confines of their own community, ethnic homeland, or mythic past. Theirs is a position defined less by spiritual transcendence than by spiritual immanence; it is an Islam of the world, not of the hereafter or the millennium.

VII. Conclusion

When asked what the greatest accomplishment *The Minaret* has made in the last decade, Editor Aslam 'Abdullah replied that it was its successful transformation from a local mosque newsletter into a voice that can be heard around the country. It is a voice, he maintains, that calls upon Muslims to realize that their survival in the West means that they must recognize that they are American Muslims, and shed the anti-Western antipathies they may have formed in response to colonialism and racism. "We are the West," he declares. *The Minaret's* mission is therefore to help Muslims learn to interact with American society without compromising their values. It has succeeded in setting a trend, he observes, that other Muslim organizations such as the Islamic Society of North America have only recently begun to follow.³¹

Unlike most comparable Islamic magazines and newspapers, which are subsidized directly or indirectly by authoritarian governments or individual donors from oil-rich countries,³² *The Minaret* has emerged thanks to the concerted efforts and limited financial resources of a localized Muslim community situated in one of Los Angeles's most culturally diversified neighborhoods. Its articles and editorials are written mostly by white-collar, college-educated, middle class members of that community

³⁰ It should be pointed out here that these topics were by no means completely neglected by cover stories. They were just not covered enough to appear in the top range of the list.

³¹ Interview with the author, 16 September 1994 in Los Angeles.

³² For a survey of contemporary Islamic journalism in Muslim countries and among immigrant communities, see *The Oxford Encyclopedia of the Modern Islamic World*, s.v. "Newspaper and Magazines," by Hussein Y. Amin.

They are not the work of government-approved and salaried shaykhs trained in religious colleges, as is the case for many Islamic periodicals in lands with Muslim majority populations. Aslam 'Abdullah readily admits that the distinctive outlook of *The Minaret* can be attributed at least in part to the fact that it is based in California, "the U.N. of the United States," where its writers must interact with a multi-ethnic and pluralistic society at home, at school, and at work.

There are of course significant alternative discourses about Islam among Muslims living in California, the Americas, Europe, as well as in countries where they comprise numerical and political majorities. Aside from what this analysis has said about the outlook of a Muslim community in California, it also indicates that anyone who holds that there exists an essential polarity or "clash" between Muslims and non-Muslims, "fundamentalists" and Enlightenment rationalists, or Islam and the West, has neglected to take into account the self-conscious efforts many have been engaged in to define a common frame of compatibilities, if not of identities, within which to coexist. Such efforts deserve more attention than they have received recently, since they promise to have a significant effect upon Muslims and their relations with non-Muslims both here and abroad in the years to come.

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AN ANALYSIS OF YORUBA AND ISLAMIC LAWS OF INHERITANCE

Introduction

Yoruba people¹ inhabit the old western region of Nigeria, which today consists of Kwara, Lagos, Niger, Ogun, Ondo, Oshun and Oyo states. There are Yorubas in some other parts of West Africa like Benin (Dahomey), Ghana, and Liberia. All Yorubas in West Africa descend from Nigeria. They speak a common language known as Yoruba with different and distinctive dialects in each region or tribe.² Yorubas are known for their rich traditions and various systems of beliefs which make their lives meaningful. They believe in a Supreme God (*Olodumare*) as well as in many divinities—lesser gods (*Orisas*), which are regarded highly and assigned functional roles in the society. Yorubas are social and industrious people; they believe strongly in their traditions and have a positive attitude toward life. Generally, Yoruba culture dominates the social and cultural lives of the Yoruba people regardless of their religious affiliations to Islam, Christianity, or any other foreign religion.

Although Islam came to Yorubaland more than 150 years ago, Yoruba Muslims have not successfully patterned their daily lives according to the dictates of Islam, which demands a total submission to, and full loyalty to Allah in all affairs. Yoruba Muslims give little attention, if any, to the area of inheritance. Islam has a well structured system of inheritance which Muslims are requested to follow. Yoruba culture has different rules of inheritance. Often, a Yoruba Muslim is ambivalent as to which system he should adhere to: Islamic or African? It should be noted, however, that traditional African religion is purely utilitarian.³ To use an African phrase: "God this is your butter, where is your gift?" Thus, a Yoruba Muslim will opt for whatever benefits him most from both systems. To Yorubas, family and community solidarity are very important and they take precedence over religious solidarity which Islam advocates.

¹ Those who speak Yoruba language, live in Yorubaland, and are governed by Yoruba customs.

² S. Adebajji Akintoye. *Revolution and Power Politics in Yorubaland 1840-1893* (New York: Humanities Press, Inc., 1971). See also S. Johnson. *History of the Yorubas From the Earliest Times to the Beginning of the British Protectorate* (London: Routledge and Kegan Paul, 1966).

³ John Mbiti, *African Religions and Philosophy* (New Hampshire: Heinemann Educational Books Inc., 1990), pp. 5 and 67.

Every Yoruba person dreams of living a good life and hopes to have a happy end. When a Yoruba person possesses wealth, has children, builds many houses, and leaves a large property behind after his death, it is assumed that he has lived a successful life. The achievement of the above, asserts Hallgren, is the achievement of "the good things in life" for a Yoruba person.⁴ His family will remember him. But how will his property be shared? Should it be shared equally among the heirs? Who are the legitimate heirs?⁵ Are they the real descendants of the deceased or the whole family? Who inherits what?

Against the background of these questions, my purpose in this paper is to analyze the laws and rules that govern inheritance and succession in Yorubaland in comparison with Islamic laws of inheritance. The distinction made by scholars between inheritance and succession is overlooked in this article, because both terms are used interchangeably by Yorubas. I exclude the inheritance of family land because it is governed by a separate customary law.⁶ Therefore, whenever a specific tract of land is referred to, it means a piece of land which has become private property, whose owner can use it without seeking consent from the head of the family or the king.

A. The Meaning of Inheritance

Is inheritance "the entrance of living persons into the possession of a dead person's property?" or is it a possession of all the rights of the deceased?⁷ In answering this question, P. C. Lloyd asserts that inheritance is the transference of status from the dead to the living (person) with respect to specific property objects.⁸ This definition is identical to what Yoruba people practice today. In the past, there was no concept of succession in the proper English sense, that is, the act or process of becoming entitled as a legal beneficiary to the property of a deceased person. Any property left

⁴ Roland Hallgren, *The Good Things in Life: A Study of the Traditional Religious Culture of the Yoruba People* (Lobosod: Plus Altra, 1988), p. 13.

⁵ The causes of these problems cannot be pinned down on a single reason. There are many reasons, some of which arise from the fact that Yoruba people live as an extended family. As a result, there are many people who are poor within one household. And when somebody dies, others are interested in his/her property. This poverty also generates envy and ill-will against the legitimate heirs.

⁶ Customary laws are the unwritten ethnic laws that apply to a particular group of people. These laws are accepted by members of a community as binding among them. They vary from one ethnic group to another. In Nigeria, customary law is the indigenous law which is neither Islamic nor English. For more information on customary laws in Nigeria, see A. O. Obilade, *The Nigerian Legal System* (London: Sweet & Maxwell, 1979), pp. 83-110.

⁷ P. C. Lloyd, "Yoruba Inheritance and Succession," in *Studies in the Laws of Succession in Nigeria*, ed. Derrett, J. D. M. (Oxford: Oxford University Press, 1965), p. 139.

⁸ *Ibid.*, quoted from G. D. H. Cole, "Inheritance," *Encyclopedia of Social Sciences*, VIII (1921), p. 35.

by a deceased person is a family property to be shared by all members of the family, or at the wish of the head of the family.

Family, in the Yoruba sense, is conceived as a corporation in which some members are co-partners while others are dependents. Some members, such as sons, are entitled to dwell on family property for life while others, such as wives, use it temporarily until the death of their husbands. The equitable distribution or partition of property among the heirs was uncommon in the past.⁹ Today, the Yoruba law of succession has taken another shape. The properties are distributed equally, and often the eldest son or brother to the deceased succeeds to the throne automatically.

In Islam, inheritance has a different meaning. The Qur'an gives no specific definition of inheritance but Muslim jurists define it in different ways. Abdur Rahim defines it as "the transfer of the deceased's rights and obligations to the heirs."¹⁰ Coulson renders it as "the distribution of all assets of the deceased that remain after the satisfaction of funeral expenses, debts, and valid bequest."¹¹ Generally, the law of inheritance in Islam is described as both an entrance of the legal heir(s) into the possession of all property of the deceased, and a succession to any transferable rights of the deceased. The transferable rights include all rights to property and other rights like debts and rights to receive compensation on behalf of the deceased.¹²

I. The Yorubas

The Yoruba people, as stated earlier, form the major tribes of the inhabitants of the Western part of Nigeria. They are patrilineal tribes and the appointment of a king or a chief is based on patrilineal lineage. There have been minor changes in kingship due to the influence of western education, such as when some educated women, especially in Abeokuta, demanded equal share of their fathers' estate, including the right to the throne. Lloyd reports several cases in Abeokuta that reflected the conflicts produced by the changing concepts of the law.¹³

According to Yoruba custom, the deceased's property passes on to his or her next eldest brother, who is responsible financially for the welfare of the widows and the children. If some of the children are mature enough to

⁹ J. M. Sarba, *Fanti Customary Law* (London: Frank Cass, 1968), pp. 100-1. He meant here family property.

¹⁰ M. A. Abdur Rahim, *The Principles of Muhammadan Jurisprudence* (Pakistan: Law Publishing Company, 1970), p. 346.

¹¹ N. J. Coulson, *Succession in the Muslim Family* (Cambridge: Cambridge University Press, 1971), p. 40.

¹² Abdur Rahim, p. 346.

¹³ Lloyd, p. 141.

manage their affairs, the brother allots them their shares. At times, if the children are mature before the death of the deceased, their parents give them their shares, which are legally transferred to them after the death of their parents. The only exception to this situation is when a father gives undeveloped land to his son, and the son develops it; thus, he (the son) becomes the beneficiary of that land's output. Can the son claim the ownership of this land or not? According to Yoruba custom, the land belongs to the family. The son cannot claim it as his private property without the approval of the head of the family. The family, in Yoruba culture, is the backbone of the society through which everyone sees him/herself. This sense of community inspires an individual to employ his/her physical and mental faculties in order to achieve, which eventually accrues to the benefit of the family and the general progress of the community.¹⁴ Although African traditions share much with Islam, there also are clear differences.

In Islamic law, individuals can own land. Islam maintains that the land belongs to God, but an established authority such as the government can give it to a person. Also when a Muslim develops a virgin land before any one else, it becomes his property by virtue of that first development,¹⁵ i.e., by putting one's labor into it. The developer can utilize it, sell it, and dispose of it as a gift. To avoid conflicts of interest, Islam does not encourage mutual possession of land. Therefore, when a Muslim dies and leaves a piece of land, this land is distributed to the heirs. Any heir can then give his share to whomever he likes. Several individuals may use a piece of land collectively, but everyone knows his or her own portion. However, if a piece of land remains undeveloped by its owner for a long time, Muslim authorities have a right to repossess it from the owner and allot it to whomever wants to develop it. Unused land belongs to the community.

II. The Deceased and His Property in Yorubaland

Yoruba people regard a person to be a deceased:

- a) when the soul has departed from the body within a period longer than that involved in a state of fainting or in a coma,

¹⁴ N. A. Ollennu, "The Law of Succession in Ghana" in *Integration of Customary and Modern Legal Systems of Africa* (Ife: University of Ife, 1971), p. 300.

¹⁵ Sayyid Sābiq, *Fiqh al-Sunnah*, 7th ed., vol. III (Beirut: Dār al-Kitāb al-ʿArabi, 1985), pp. 168-9. Sābiq quotes a *Ḥadīth* reported by Abū Dāʿūd, al-Nasaʿi and al-Tirmizī that the Prophet said: "He who brings to life (by cultivation) a barren land owns it." There are many Prophetic sayings on this issue. The reader is referred to the above ownership is determined by mixing of one's labor with the object. His exposition of this economic fact has had great effects on Western economic theories. For more explanation see John Locke, *Second Treatise of Government*, edited by Richard Cox. (Illinois: Harlan Davidson, Inc., 1982), pp. 17-31, and Adam Smith, *An Inquiry into the Nature and causes of the Wealth of Nations* (Indianapolis: Liberty Classics, 1981).

- b) when a person is legally declared dead (either by a doctor, by the king, or by the head of the family),
- c) or when a person is drowned and his body is not recovered. Normally, a missing person will not be declared dead until after some years. The family does not tamper with the property of a missing person, hoping that he may come back. If the missing person has a wife, she has a choice to seek divorce or to wait.

In Islam, the period of waiting for a missing person varies from one school of law to another. Some Muslim jurists, especially the Ḥanafis, say that the family should wait for his return for sixty to ninety years. If he does not come back within that time, there is a great probability that he has died.¹⁶ Imām Mālik, the founder of the Mālikī school of law, says that the family should wait for the return of a missing person for four years, after which the court will declare him dead and his wife has full right to seek divorce. This group supports its view by relying on the decision of the second Caliph, 'Umar ibn Khattāb. 'Umar said that any woman who misses her husband should wait for four years, and then make *'iddah*¹⁷ for four months and ten days. After this period, she is free to remarry.¹⁸ Act 21 of the Egyptian law of inheritance is based on this decision. It states:

A missing person will be declared dead after four years from the date of his disappearance. This in case where there is a great probability that he would have died. In any other cases, the decision is left to the judge.¹⁹

III. The Testament

When a person dies, the family finds out whether he or she wrote a will. In Yoruba custom, an agent known as *babansiku* is appointed. He takes charge of the burial and any other arrangements.²⁰ Often, he is the junior brother of the deceased or the eldest son.²¹ The *babansiku*, on behalf of the family, pays the deceased's debts. If the deceased wrote a will,

¹⁶ M. A. Ṣabūnī, *Al-Mawārith fi al-Sharī'ah al-Islāmiyyah* [Inheritance in Islamic law] 2nd ed. (Saudi Arabia: Makkah, 1979), p. 197.

¹⁷ *'iddah* is a waiting period imposed upon a woman after the termination of her marriage, either by divorce or by the death of her husband, before she can marry. According to Glasse, "the purpose of *'iddah* is to determine the paternity of possible offspring but also, in the case of divorce which has not been pronounced three times, to provide a space of time in which a reconciliation may take place." See Cyril Glasse, *The Concise Encyclopedia of Islam* (New York: Harper & Row, Publishers, Inc., 1989), p. 179.

¹⁸ Ṣābiq, vol. III, pp. 652-3.

¹⁹ Egyptian law of inheritance, 1929, No. 15, Act-21.

²⁰ Burial arrangement in Yorubaland includes the initial burial of the deceased's body and the taking care of his property until it is distributed to the legitimate heirs.

²¹ Lloyd, p. 152, 155.

The *babansiku* executed it provided the deceased did not transgress his/her limit. If there was no will, the property is distributed according to the prevailing customary law in that locality.

It must be noted that the Yorubas normally do not write wills. They believe wrongly that writing a will may hasten their death. They also believe that the property should pass exclusively to the relatives,²² and not to an outsider without a will. Experience has shown that a few people write their will to exclude legitimate heirs, such as irresponsible sons, or children of illegitimate wives, or adopted children.²³

IV. What Recognition Do the Yorubas Give to a Will?

Among the Yorubas, some tribes like Egba and Ijebu accord great respect to a will, whether written or oral. Lloyd expresses this view and gives examples of a deceased person, who excluded one of his sons from inheritance and cursed him if he disregarded his will.²⁴ However, whenever a person disinherits his son or his immediate relative, the family looks into the cause carefully. If the deceased acts against the best interests of a deserving family member, the family disregards the will; if the exclusion is justifiable, the family endorses the will. In the case of *Olamaju v. Festus Akinloyin*, for example, Festus, the defendant, worked with his father. Akinloyin loved Festus and wrote a will that one of his houses be given to Festus, while his other houses should be shared between Festus and Olamoju. After the death of the father, the family executed the will. Mrs. Olamoju objected and sued the family. In deciding this case, the district court judge endorsed the father's will on the ground that the plaintiff, according to available evidence, did not help the father when he was building those houses. She even caused financial loss to her father.²⁵ Had the court found the father unjust in his will, the court's decision might have been different. A will is executable if no injustice is inflicted upon innocent heirs.

Another important feature of Yoruba testacy is that a testator disposes his estate to whomever he wants whether the person is an heir, a nearest kin or an "outsider" such as a close friend. The execution of such a will requires a testimony of two or more witnesses. Due to the conflict which may arise after the death of the deceased, the testator often announces or discloses his intention to the *babansiku* or to his eldest son or daughter. If it happens that there are counter witnesses as to whether the deceased

²² *Ibid.*, p. 155.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*, p. 156. Ondo District Court, 17/1942.

is testated or not, or argument about the quantity and quality of what is testated, the *babansiku* or the head of the family makes reconciliation provided he is not among the beneficiaries. If he fails to reach an amicable solution, the case is referred to the king or a district court. The greatest obstacle confronting the executor of a will in Yorubaland is the lack of a written document. Nevertheless, a Yoruba man or woman rarely rejects what is endowed to him or her. If a property is rejected, it goes back to other heirs.

B. Common Features Between Yoruba and Islamic Laws of Inheritance

There are some identical features and some differences between the Yoruba and Islamic laws. Islam strongly recommends that a Muslim write his will (S. 2:180; 4:11; 5:106). According to some *hadith*, God promises a great reward for one who writes his/her will.²⁶ However, the conditions governing a testament in Islamic law, such as setting limitations on what can be given out, are at times complicated. The openness of the Yoruba law of inheritance through which a person can dispose of whatever he wants to anyone he wishes, without any limitation, gains no support in Islam. A Muslim cannot give more than one-third of his/her property to anyone.

If a Muslim testates more than one-third, anything that exceeds one-third will be returned to the eligible heirs even if they do not approve it. Muslim jurists justify the one-third limitation to allow the legitimate heirs to benefit from the properties of the deceased, and to enhance the spirit of brotherhood among the family. Another limitation in Islam is that a legitimate heir cannot be testated for. In the early days of Islam, the *Qur'ān* permitted a testament to be made in favor of the parents:

It is prescribed, when death approaches any of you, if he leave any goods, that he make a bequest to parents and next of kin according to reasonable usage. (S. 2:180)

Subsequently, that injunction was repealed when a specific portion was granted to each parent by God (S. 4:11). Thus the status of the parents was raised from potential recipients to legitimate heirs, and henceforth, they cannot receive anything from a will.

An heir cannot be testated for in Islam because he already has a share in the deceased's property. If the deceased had the intention of rewarding a particular heir for a specific reason, he might do so by endowment.

²⁶ Sāblq, III, pp. 585-86.

Such an endowment during the benefactor's life time is legitimate. Another difference between Yoruba and Islamic laws is that while a Yoruba person can exclude his children, or any legitimate heir from inheritance through a will, a Muslim cannot. Even if a Muslim deliberately deprives a legitimate heir, the Islamic court will eventually disregard such an exclusion because it contradicts an expressed text of the *Qur'ān*.

However, a legitimate heir will not inherit if he causes the death of the deceased or adheres to a different religion than Islam. If the killing occurs accidentally, then the killer may inherit according to the prevailing view in the Mālikī school of law.²⁷ The basis for depriving a killer from inheritance is the *ḥadīth*: "A murderer should not be permitted to inherit anything from the victim."²⁸

Furthermore, some Muslim jurists, specifically Imām Mālik, Abū Ḥanīfah, and Imām al-Shāfi'ī, contend that a Muslim cannot inherit from a non-Muslim, and a non-Muslim cannot inherit from a Muslim because of the difference of religion.²⁹ Nevertheless, other Muslim scholars like al-Nakha'ī, Ibn al-Shihāb al-Zuhri, and al-Sha'abi argue that a Muslim can inherit from a non-Muslim, while a non-Muslim cannot inherit from a Muslim. Those who oppose this view argue that:

The law of inheritance in Islam is designed to distribute property among surviving relatives within the community of Muslims. Naturally enough, the difference of religion between Muslim and non-Muslim, seen as a difference of communal allegiance, constitutes a general bar to inheritance.³⁰

In addition, the properties left by a non-Muslims are looked upon by Muslims as illegal properties. Some jurists allow Muslims to inherit from non-Muslims, but non-Muslims cannot inherit from Muslims.³¹ The governments in Egypt, Syria, Iraq, and Libya do not comply with these Qur'anic regulations; they give equal status to Muslims and non-Muslims and permit inheritance between them. These countries also give equal share to male and female heirs, contrary to the expressed text of the *Qur'ān* that a male gets two-thirds while a female heir receives one-third.

It is pertinent to point out that a Muslim can make a will in favor of his non-Muslim spouse or relatives within the one-third limit. A non-Muslim

²⁷ Coulson, p. 181; see also al-Ṣabūnī, pp. 37-8.

²⁸ Ṣābiq, p. 427.

²⁹ See Sayyid Ṣābiq, *Fiqh al-Sunnah*, vol. III, pp. 608-609. Usamah bin Zayd reported that the Prophet Muḥammad said: "A Muslim should not inherit from a non-Muslim, and a non-Muslim should not inherit from a Muslim." See Imām Yaḥya bin Sharaf al-Nawawī, *Ṣaḥīḥ Muslim bi Sharḥ al-Nawawī*, vol. 11 (Beirut: Dār al-Kutāb al-Ilmiyyah, 1990), p. 52.

³⁰ Coulson, p. 186.

³¹ Ṣābiq, vol. III, p. 609. This opinion is also attributed to Mu'adh bin Jabal, Ibn Musayyab and Ibrahim al-Nakha'i. See also al-Nawawī, 11:52.

can also bequest to his Muslim relatives without any restriction. If a Muslim dies without writing a will, Muslim authority will distribute his property according to Islamic law. All property, whether movable or immovable, is inheritable in Islam, including the land, after the satisfaction of funeral expenses, debts, and valid bequests.³² Titles, thrones, and honorary posts are non-inheritable because they are not considered properties in Islam. The heirs are considered eligible for the deceased's position on the merits of their qualifications only. Therefore, the prevailing custom of inheriting the title of Imāmship or any Islamic post, among the Yoruba Muslims, without due qualification, has evidence neither in the *Qur'ān* nor in the *ḥadīth*.³³ To the Muslims, the Prophet Muḥammad had condemned the investment of authority in those who are not qualified. He regarded it a cause of instability in the Muslim community.³⁴ Nowhere in the *Qur'ān* or *ḥadīth* does Islam approve an heir assuming the post of a deceased person without due qualifications and the consent of the people. Many Yoruba Muslims disregard limitations set by Islamic law.

Legitimate Heirs

The problem of property arises in Yoruba law only when a person has died intestate. Does his property go to all his descendants and the adopted children as in the Ijebu area, or does it go to his siblings? In the past, the property was distributed among the deceased's siblings, especially the males. The children were normally excluded or subjected to the mercy of their uncles.³⁵ That was the situation in Yorubaland until 1857. In 1858, Ibadan chiefs enacted a law, which was adopted by the Alafin of Oyo (the head of the Yorubas). That law states:

All man's interests in property should go to his son, while his inherited property should go to his siblings (*omo-iyá*).³⁶

Thus, legitimate heirs are the brothers, sisters, children and grandchildren, husbands, and parents. The wives are excluded, perceived as partners and legally statusless persons in their husbands' homes.

³² Coulson, p. 140.

³³ For more information about this subject see: Yushau Sodiq, "Malik's Concept of *Maṣlaḥah*" [The Consideration of the Common Good] (Ph. D. diss., Temple University, Philadelphia, 1991), p. 162.

³⁴ Aḥmad bin Alī bin Hajar al-Asqalānī, *Fatḥ al-Bārī: Sharḥ Ṣaḥīḥ al-Bukhārī*, 3rd ed., vol. 1 (Cairo: Dār al-Matba'at al-Salāfiyyah, 1987), p. 171. The Prophet Muḥammad said: "When responsibilities are entrusted to unqualified people, wait for the (end of) time." That is, this is a sign of the end of the world.

³⁵ Lloyd, p. 156.

³⁶ *Ibid.*, p. 177, quoted from S. Johnson in *The History of the Yorubas* (Lagos: CSS Bookshops, 1973), pp. 326-7.

A widow does not inherit; she is considered a property in Yorubaland. The brother of the deceased normally marries her as an additional wife.³⁷ These husbands claim that her staying within the deceased's family will enable her to take care of her children. Of course, currently, the custom of "inheriting" the widow has begun to fade out. Women have gained more freedom and they marry whomever they choose.

Eligible Children to Inheritance in Yorubaland

Not all children are qualified to inherit from their parents. The eligible are children of legitimate marriages. Also a child of an illegitimate marriage may inherit provided he is acknowledged and participates in the funeral of his father.³⁸ Participation in the funeral ceremony plays a significant role in Yoruba custom;³⁹ it serves as remembrance ritual for the deceased. Any child born outside wedlock, and whose father fails to acknowledge him/her, will not inherit.

The Share of the Husband

Marriage in Yorubaland is essentially polygamous. The terms "husband" and "wife" apply not only to persons who are legally married but also to any man and woman living together who have not had a marriage ceremony.⁴⁰ The case of Herbert Macauley,⁴¹ who died intestate and left thirteen children, who were born by eight wives, is a good example. Some of those wives were duly married to him according to the native customs, while others were not. The family sought court's assistance in distributing the property of Herbert Macauley. After a long controversy among the jurors, Justice Jibowu concluded that the children born through wedlock were, by birth, legitimate children and hence entitled to inherit from him. The children of illegitimate marriages would also become legitimate heirs if they were acknowledged by their father during his lifetime. Thus, Justice Jibowu commented that:

Children born in lawful wedlock are legitimate from their birth, but children not born in lawful wedlock may be legitimate by the subsequent marriage of their parents, according to the law of their domicile. The rule of native law and custom propounded by Ogunlano,

³⁷ The meaning of inheritance here is that the deceased's brother takes the widow as wife without any new formal marriage or payment of new dowry. In reality, she passes from one husband to another.

³⁸ *Ibid.*, p. 161.

³⁹ *Ibid.*, p. 152.

⁴⁰ G. B. A. Coker, *Family Property Among the Yorubas* (Lagos: African Universities Press, 1966), p. 263.

⁴¹ *Ibid.*, p. 267 as quoted from Lagos Supreme Court Suit No. AG-58, decided in 1951, and reported after appeal in Sep. 1952.

Chief Obanikoro, and others is that *a child born out of wedlock and therefore illegitimate may be legitimate by its father's acknowledgment of paternity*.⁴²

These are the rules governing the legitimacy of a child to succeed his father. Concerning a deceased woman, all her children are entitled to inherit from her. It must be pointed out that if a person predeceases his father or mother, what he/she was entitled to, if he were alive, would pass to the grandson.⁴³

Other legitimate heirs are the husbands. In Yorubaland, husbands occasionally inherit from their wives. Husbands are caretakers and protectors of their wives' properties. They look after the children of the wives (especially if the children are their own issues). If a wife has no children, her property passes to her siblings.⁴⁴ However, all property given to a barren wife by the husband during her lifetime (like a house or vehicle) does not pass to her siblings, but goes back to the husband, or his relatives.

On the other hand, if she had been wealthy and had built a house in which the husband resided, at her death the husband would be deprived of the usage of this house. There might be, however, some exceptions to this general custom, as when the deceased testates for the husband. On such occasions, he is offered some portion of the house as a beneficiary, but not as an owner. That is, when he dies, the house goes back to the wife's siblings. If both husband and wife had a joint business, or they cooperatively built one house, after the death of the wife, her portion passes to her children or her siblings. If the husband intends to possess the whole house, he refunds the equivalent of her share in money to her family.

When the husband dies, does the wife have a legal right to inherit from him? According to Yoruba custom, she does not inherit from him. Of course, her staying in the house of the husband depends largely on whether she has children or not, or whether her marriage was through wedlock or not. An unwed woman will not be recognized as a wife. If she has children, she may be allowed to live in the husband's house to take care of her children.⁴⁵ The common practice, among the Yorubas, is that a widow does not inherit from her husband; rather she is considered property. A widow is inherited in the sense that one of the brothers of the deceased will marry her without a new marriage or a payment of a new dowry. Currently, this method of inheriting widows has declined; women are aware of their rights to marry whom they want.

⁴² *Ibid.*, p. 267.

⁴³ Lloyd, p. 162.

⁴⁴ T. O. Elias, *The Nigerian Legal System* (London: Routledge and Kegan Paul Ltd., 1963), p. 349.

⁴⁵ Coker, p. 297.

Siblings

Siblings are the agnate brothers and sisters of the deceased; they are legitimate heirs. Often siblings from the mother's side are preferred. In their absence, brothers and sisters from the father's side step in as legitimate heirs. Parents normally show no interest in the property of their descendants, especially if the deceased has children. However, they are occasionally given some shares.⁴⁶

Some Comparison Between Yoruba and Islamic Laws

There are two major differences between Yoruba and Islamic laws of inheritance. First, where all relatives of the deceased are alive, the law of exclusion (*hujb*) applies in Islam. That is, the nearest person to the deceased prevents those who are remote from inheritance. For example, if Mr. A dies and leaves his father, grandfather, sons, and grandsons, the father will prevent the grandfather from inheritance because the father is nearer to the deceased than the grandfather. Also the grandsons will not inherit because of the sons, who are closer to the deceased. In Yoruba customary laws, there is no law of exclusion. All relatives receive something; the percentage varies from one person to another. Second, the Yoruba law is ambiguous about the status of a widow, even when her marriage is legitimate. In contrast, Islam grants a woman an undeniable right to have a recognizable share in the property of her husband. She receives a quarter of the whole property if her husband has no children. In addition, Islam denounces the inheritance of a widow by a relative, because she is not a property but a human being.⁴⁷ After the death of her husband and after the mourning period (*iddah*), she has a right to remarry another man, within or outside the family, if she wants. She may also remain unmarried.

Nevertheless, Yoruba law is more equitable than Islamic law at times. Yoruba law provides for a grandson of a predeceased person: one who dies before his father. Yoruba law allows the portion which would be given to the son if he were alive to pass to the grandson. Islamic law does not allow this. For example, let us assume there was a wealthy person named Muhammad, who had two sons, Ahmad and Saidu. Ahmad always helped his father in his business; while Saidu never rendered any assistance to him. Ahmad got married and had two sons; Saidu married but had no children. Ahmad and his father went on a business trip and they had an accident; both were hospitalized. Ahmad died the same day,

⁴⁶ Lloyd, p. 166.

⁴⁷ See Qur'an S. 4:19.

while Muḥammad, the father, died a few weeks later without writing a will. How would Muḥammad's property be distributed? According to the Yoruba customary law, the property would be divided between the two sons equally if they were the only heirs. The share, which might have gone to Aḥmad if he were alive, would pass to his two sons. Saidu would get his share accordingly.

In Islamic law, this case would present a dilemma. Aḥmad would receive no share because he died before his father. Nothing would be given to Aḥmad's two sons although he died while serving his father. In Islamic law, the eligible heir must be alive at the time of the death of the deceased. And since Aḥmad died before his father, he would not be eligible. His two grandsons would not inherit from Muḥammad; they were excluded because Saidu was nearer to the deceased than they were. Some Muslim scholars propose that, in such a circumstance, if the grandfather is aware of what might happen, he should make a provision for the grandson or granddaughter through a will. If the father dies intestate, then the government may interfere upon the request of the grandson(s) and grant them some shares. Even so, the shares to be given to them may not be equal to the shares of the living sons. Muslim jurists today have not yet provided a real solution to this problem.⁴⁸ The authorities in some Muslim countries tackle this problem individually and no unanimous decision is agreed upon. Thus every locale adopts whatever suits it most.

Distribution of Property

Both Yoruba and Islamic laws are silent about when the property should be distributed. Should it be immediately after the burial, or will a longer time be allowed to enable the heirs to mourn their deceased? The common practice among the Yorubas, especially the Ijebu, is to distribute the property after the final funeral ceremony (*iwolefu*). The exact date of *iwolefu* is agreed upon by the family. The economic situation of the relatives also plays a significant role in determining this date. If the deceased's families are economically strong they fix it at forty days or otherwise a year later to enable each member to prepare adequately. But what is the relationship between the final funeral ceremony (*iwolefu*) and the distribution of the property? We speculate that the real property to be distributed can only be known after the *iwolefu*. Islam does not recognize the custom of *iwolefu*. Nevertheless, the Muslims in Yorubaland often participate in this local custom under the guise that religion should not pre-

⁴⁸ In Sudan, a grandson who falls into this problem is normally called *walad al-fitiṣ* i.e., a sacrificial lamb which dies on the sacrificial day before the service. This means that the owner is a complete loser. He loses the meat and the reward.

vent a person from his custom.⁴⁹ In traditional Islam, the time of the distribution of property lies in the hands of the heirs. They are at liberty to determine the time. In some Muslim countries, of course, the government fixes the time to avoid unnecessary tampering with the estate by some members of the family.

The responsibility of allocation or partition of the estate to the heirs in Yorubaland lies with the head of the family (*olori-ebi*).⁵⁰ In case of controversy, the king or the court interferes. The head of the family follows customary law in the distribution and settles any disputes or misunderstandings that may arise. If he fails to reach an amicable solution among the heirs, he seeks the assistance of the local chief or king. People rarely go to court for settlements because it charges for its services. According to the custom, the head of the family does not charge any fee for this duty. However, a considerable gift is normally given to him.⁵¹

Further, in Islam, the distribution of property rests in the hands of the specialists (*ulamā*) who are knowledgeable in Islamic law. Normally, those scholars are unpaid, either by the government or by the people. They discharge this duty as a religious obligation. Also, in case of controversy, the local court intervenes. In Yorubaland, there is no Islamic court except in Kwara State.⁵² In Northern Nigeria, where Islamic courts operate, the court charges 10 percent of the whole property for its service,⁵³ with the result that many people are reluctant to seek its services.

The Share of Each Heir in Yorubaland

There are two methods of distribution in Yorubaland: allocation and partition. In allocation, the main title or property remains undistributed, and no one claims a superior hand over it. Every legitimate heir becomes a beneficiary. The purpose is to maintain the spirit of brotherhood. If the deceased has left a large house and many children, they may decide not to divide the property but to allow everyone an equal right to use it, or make it available for family meetings. This normally happens when every son or daughter has built his or her own house, and at the same time, everyone remains affiliated with the family. Partition, on the other hand, gives each

⁴⁹ The Yorubas express this notion a saying: *Ṭmale ko ni ki ama s'oro ile wā*, "meaning Islam does not bar us from practicing our custom.

⁵⁰ The meaning of family here is wider than before. Olori-Ebi is the head of a small clan, which is composed of a small number of families.

⁵¹ Derrett, p. 247.

⁵² In the past, it was reported that there were a few Islamic courts in Yorubaland, at Ikirun and Ota. The Muslims in Lagos in the 1890s requested the British governor of Lagos to apply Islamic law to Muslims. The governor rejected their request. For more information see T.O. Obadamosi, *The Growth of Islam Among the Yoruba: 1841-1908* (N. J.: Humanities Press, 1978).

⁵³ Derrett, p. 247, under "Hausa Inheritance and Succession" by M. G. Smith.

heir his or her right specifically, and no right is invested corporately in a larger group.⁶⁴ Partition, as Lloyd observes, only "applies to deceased's self property which has already been partitioned in his favor."⁶⁵

In addition, Yoruba law recognizes two systems of distribution after allocation: share per stirps and share per capita.

- a) In a share per stirps (*idi-igi*), each wife is regarded a tree (metaphorically), and each child of the wife shares in the property partitioned to that stirps, but not necessarily equally.
- b) In a share per capita (*ori-koju-ori*), the property is divided equally among the heirs.

The impact of the above two systems of distribution can be better understood in the following example. Mr. A died and left ten children born to him by two wives. The first wife had two daughters, and the second wife had eight sons. The estate left behind by the deceased was one thousand dollars and a house of sixteen rooms. According to the distribution per stirps, the estate would be divided into two because the children were descendants of two wives. The two daughters of the first wife would receive \$500.00 (\$250.00 each), and eight rooms (four rooms for each). All the other eight sons of the second wife would receive \$500.00 (\$62.50 each) and eight rooms (a room for each son). This distribution is based on the assumption that there are no other eligible heirs. In the distribution per capita, which is quite equitable, each child would receive \$100.00 and what is equivalent to one and six-tenths of the available rooms.

The distribution of shares per stirps is, at times, abused and criticized by Nigerian jurors. In *Dawodu v. Danmole*,⁶⁶ in which the distribution per stirps was applied, Justice Jibowu maintained that the share per stirps was repugnant to natural justice, equity, and good conscience. However, the Federal Supreme Court and the Judicial Committee of the Privy Council⁶⁷ rejected the opinion of Jibowu on the ground that:

The principles of natural justice, equity, and good conscience applicable in a country where polygamy is generally accepted should not be readily equated with those applicable to a community governed by the rule of monogamy.⁶⁸

Whatever the decision of the Federal Supreme Court, it is obvious that the distribution per stirps falls short of natural justice. This distribution should not just be endorsed merely to preserve customary laws. Any un-

⁶⁴ Lloyd, p. 151.

⁶⁵ *Ibid.*

⁶⁶ Federal Supreme Court (F.S.C.) 1958, #46 quoted by Obilade, p. 101.

⁶⁷ 1962, W. L. R. 1053.

⁶⁸ Obilade, p. 101.

fair law or custom should be discarded, not because the colonialists or jurists condemn it, but simply because it is unjust.

Legitimate Heirs in Islam

Three categories of heirs are recognized in Islam: primary, secondary, and substitute heirs. The primary heirs are spouses, children, and parents. Secondary heirs include the agnate brothers, uterine brothers and sisters. The substitute heirs are the agnate grandsons, agnate granddaughters, and agnate grandfathers and grandmothers. The share of each heir differs from one person to another and from one category to another. The Islamic system differs from the Yoruba system. Neither is the share per stirps recognized by Islam, nor is the share per capita strictly followed. Beneficiaries are considered according to their merits and responsibility in the family.

To illustrate, in Islam primary heirs are spouses, children, and parents.⁵⁹ The substitute heirs take the share(s) of those for whom they substitute in the absence of the primary heirs.⁶⁰ The secondary heirs are not given specific shares; they receive whatever is left over after the specified heirs have taken their shares. They also get whatever is voluntarily given to them by the primary heirs. The Qur'an strongly recommends that the primary heirs be kind to secondary heirs.⁶¹ For illustration purposes, I will explain the share of each primary heir in Islam.

Spouses

The husband receives one-quarter of his wife's property if she has children; he gets one-half if she has no children. It is immaterial here whether the descendant belongs to the surviving husband or to another husband.⁶² The wife receives one-quarter of her husband's property if he had no child. She is given one-eighth if he had children. The wife's portion may be a collective one. That is, two or more wives will share equally in the portion of one-quarter or one-eighth if the deceased had more than one wife. The Qur'an says:

⁵⁹ Qur'an S. 4:11, 12, 176.

⁶⁰ The opinion that the substitute heirs should replace the primary heirs was reached by the companions of the Prophet and endorsed by the Muslim community; it became part of the Islamic law of inheritance. Substitute heirs are grandfathers, grandmothers, grandsons, etc. They replace the fathers, mothers, and sons. That is, if a person dies, and leaves no father but a grandfather, the grandfather will still inherit one-sixth of what the deceased left. In this sense, he substitutes for the father.

⁶¹ Qur'an S. 4:7-8.

⁶² Coulson, p. 41. See also Qur'an S. 4:12.

In what your wives leave, your share is a half if they leave no child, but if they leave a child, ye get a fourth, after payment of legacies and debts. In what you (husband) leave, their share (wives) is a fourth if ye leave no child, but if ye leave a child, they get an eighth after payment of legacies and debts. (4:12)

Additionally, a wife's right depends on the legitimacy of her marriage. An illegitimate wife and her offspring receive no share in Islam. Certainly, women are not property in Islam. They have their freedom to remarry whom they want after the death of their husbands. The Qur'an says:

O ye who believe, Ye are forbidden to inherit women against their will, nor should ye treat them with harshness, . . . If ye take a dislike to them, it may be that ye dislike a thing, and God brings about through it a great deal of good. (4:19)

Parents

A father receives one-sixth of the property if the deceased left a descendant. He receives two-thirds in the absence of a descendant and any agnate brother of the deceased. If he and the mother are the only heirs, he receives two-thirds. A mother gets one-sixth if the deceased has children, and one-third in the absence of a lineal descendant or collateral as expressed in the Qur'an:⁶³

For parents, a sixth share (to each) if the deceased left children, if no children and the parents are the (only) heirs, the mother has a third, except where the deceased has left brothers when the mother takes one-sixth. (4:11)

Children

A daughter takes one-half of the property if she is the only descendant. Two daughters or more receive two-thirds and share it equally if they are the only descendants. If a daughter has a brother or brothers, she takes one share, while each male receives two shares. Sons have no specific share; they take all remaining property after the exclusion of the specified allocations. If the sons are alone with a daughter, they share the property among themselves; each son receives two portions, while each daughter receives a portion according to the provision of the Qur'an:

God thus directs you as regards your children's inheritance, to the male a portion equal to that of two females; if only daughters, two or

⁶³ *Ibid.*, p. 43.

more, their share is two-thirds of the inheritance. If only one daughter, her share is a half. (4:11)

Giving two shares to a male heir and giving one share to a female heir has been criticized by non-Muslims and some Muslims as well. The critics accuse Islam of being partial and discriminative by treating women differently.

Muslim scholars respond to this alleged discrimination that the preference in inheritance is due to the greater responsibility assigned to males in Islam. A male receives two-thirds to discharge his "financial" duties toward his wife, children, and parents. If he fails to provide adequately for his dependents when he is able, the authority has a legal right to take these allowances from him by force. If he can not provide for his wife because of poverty, then she has a right to seek divorce.⁶⁴ In contrast, a woman is not charged with the economic responsibility for herself or for her husband. If she possesses some property, she is not, in any sense, legally bound to feed her husband. She owns her money or property separately and spends it on whatever she wishes. This is how the Islamic family structure has been built.

In addition, Muslims claim that a Muslim female is assured of adequate care. A wealthy wife is supported by her husband, a needy sister by her brother, and a daughter by her father. Muslim women in Islamic societies are taken care of by the male relatives.⁶⁵ When Islam grants a male a larger share of inheritance, it is probably in recognition of these manifold obligations. However, any man who maltreats his wife or abuses his right will be held responsible before the law. That Islam encourages men to take care of their wives, of course, does not mean that Muslim men necessarily do what they are supposed to do. Neither does it mean that women cannot provide for themselves if they want to.

The Influence of Foreign Laws on Yoruba Laws

The Yoruba law of inheritance has been drastically affected by foreign laws. When Islam came to Yorubaland, the natives embraced Islam as a religion, not as a model way of life as preached by its advocates. As a result, Islamic law had little effect, if any, on the Yorubas. Islamic law was not applied or recognized by the government. In the estate of Aminatu

⁶⁴ Shaykh Muḥammad 'Arafah al-Dasūki, *Hāshiyat al-Dasūki 'ala al-Sharḥ al-Kabīr*, vol. 2 (Cairo: Isā al-Babī al-Ḥalabī, 1980), p. 517. See also Malik ibn Anas, *Al-Mudḥwanah al-Kubra*, vol. 4, pp. 105-108. See also Ibn Rushd al-Ḥafīd, *Bidāyat al-Mujtahid wa Nihāyat al-Muqtasid*, vol. 2, p. 98-9.

⁶⁵ 'Abd al-'Atī, H. *The Family Structure in Islam* (Maryland: International Graphics Printing Service, 1979), p. 269.

Alayo, for example, the Lagos court decided that though the deceased was a Muslim lady, her property should be distributed according to the Ijebu customary law.⁶⁶ The court established that:

There is no evidence either of practice or of one occasion in which an Ijebu who married according to Muslim rites and died without issue and intestate had his or her property distributed in accordance with Mālikī law.⁶⁷

The reason for not practicing the Islamic law of inheritance may be attributed to the ignorance of the people about the Islamic teachings, or the incompetence of the local *Malam*⁶⁸ to apply Islamic law correctly, or perhaps the unreadiness of Yoruba Muslims to subscribe to Islamic law.

On the contrary, the borrowed English law had a tremendous impact on Yoruba law of inheritance. English law advocates attempted to eradicate all native laws. However, the most essential area in which the English law had great effect was in the introduction of the marriage ordinance. This ordinance reduced greatly polygamous marriages and put limitations on controversial issues of succession normally arising because of polygamous marriage.

Neither Islamic nor English laws provide real solutions to the local problems of inheritance. While Islamic law has not been given the opportunity for a fair trial, the English law has failed because of its incompatibility with and lack of understanding of the local customs. The advocates of English law often look down upon Yoruba law and wrongly label it as irrational and repugnant to the "public good." The reason, in our view, for this uncritical approach lies in the preconceived assumption that whatever is good for the English people must be good for the Yorubas. Many colonial administrators did not respect the vast differences between the two cultures. The former Chief Justice of Nigeria, T. O. Elias, observes that:

A Christian marriage⁶⁹ entered into by a native is only presumptive and not conclusive evidence that a native man intends his life generally to be regulated by English law.⁷⁰

⁶⁶ Elias, p. 282.

⁶⁷ *Ibid.*, p. 283.

⁶⁸ A *Malam* is a literate Muslim who can read the Qur'ān and interpret it to some extent. He does not have to know Arabic.

⁶⁹ This marriage is called Christian marriage in order to be accepted by the natives. It is purely an English law imposed upon the natives through the marriage ordinance.

⁷⁰ Elias, p. 281.

Conclusion

Inheritance in Yorubaland can be defined as succession and an entrance into the rights of the deceased with respect to the individual property. The testament is unusual in Yorubaland; nevertheless, the natives give due respect to it whenever it is made and witnessed. Islamic law discredits any testament that exceeds one-third on the ground that it is better for the deceased to leave his heirs comfortable than destitute. However, the Yoruba law of inheritance has some positive aspects. It does not discriminate between the heirs because of religion or between male and female, as Islamic law does. Often, in distribution of the property, the head of the family plays a significant role. With him rests the power of deciding when the property should be distributed, to whom it should be given, and what percentage should be allocated or partitioned.

Although Islamic and Yoruba laws both favor polygamous marriage and share some identical features, there are some remarkable differences between the two. While Yoruba law is purely patrilineal, Islamic law of inheritance is double-based: patrilineal and matrilineal. 'Abd al-'Ati says:

The Islamic law system was founded on two bases: natural bi-lineal relationship through paternal and/ or maternal lines, and actual affinity through marriage and or its 'legitimate' variant concubinage.⁷¹

Yoruba law treats a woman as a subordinate to man. As such, she is, at times, regarded as property that can be inherited by the deceased's relatives. Although this attitude has started to wane, a few cases can still be cited in Yorubaland. Islam, on the other hand, does not charge the Muslim woman with financial responsibility. However, the Muslims' response to the allegation that women are discriminated against in inheritance seems to be apologetic in our view. If a woman becomes responsible financially, or becomes a head of the family (as has happened in some Muslim families in North America), would she be given two shares instead of one? Muslim scholars would say no. The Qur'an has given her a half of the male's share and the Muslims have to comply with that law if they are to be faithful to their religion. Furthermore, Yoruba law regards an adopted child, who is acknowledged by the deceased, a legitimate child, entitled to a share equal to that of a legitimate child. In contrast, Islamic law does not recognize adoption, because no line of inheritance can be established without a blood relationship.

⁷¹ 'Abd al-'Ati, p. 254.

Finally, some English laws were, in the past, incorporated into the Yoruba inheritance laws without proper adjustment to local circumstances. However, the exposure of Yoruba people to modern education has allowed native scholars to locate the areas of weakness in Yoruba laws, and thus amend them to suit their people. The process of integration is continual; no uniform laws are followed in Yorubaland today. Effort is always being made toward uniformity. It is time to think of improving the local laws, not in terms of incorporating foreign laws, but of serving the common good of the native people.

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JESUS AND MUḤAMMAD: A HISTORIAN'S REFLECTIONS

Different fields and disciplines of academic research move forward — or so it is hoped — at different rates of speed. New archeological discoveries or manuscript finds is one obvious explanation of why this is so; witness the effect of the Dead Sea Scrolls on the study of Second Temple Judaism. Another is a bold new light cast upon old material, like that directed in the '70s by Jacob Neusner onto the placidly stagnant surface of Rabbinics. Then there is the matter, or better, perhaps, the burden, of the past. The Islamicist-in-training still has to struggle with the sinking sense that, at least as concerns early Islam, some nineteenth century gentlemen named Theodor Nöldeke and Ignaz Goldziher may have known and said everything worth knowing and saying on the subject. And, somewhat alarmingly, the nineteenth century lives of Muḥammad by Sprenger and Muir are still well worth the reading, as is that imbedded in Leone Caetani's 1905 *Annali dell' Islam*.

But not everyone suffers the burden of the past with the resignation of the student of Islamic origins. In the parallel field of Jesus research, for example, the prevalent opinion is that the scholars of the nineteenth century had made all the useful mistakes, had explored all the blind alleys, and now their later twentieth century successors could forge ahead with confidence and optimism. There are probably many reasons why Jesus research is so markedly different from Muḥammad research — the first with its heavy emphasis on techniques, the latter still struggling with skills — but here I would like to explore a few of them that have to do with the subjects themselves, Jesus and Muḥammad, and the kind of testimony they left behind.

We know about Jesus essentially from one set of books, the four so-called canonical Gospels. Canonicity is a theologian's, not a historian's notion, and the fact that the Christian churches have dubbed these four "canonical" does not, of course, make them any more (or less) authentic as historical documents. There are, in fact, some who argue that the non-canonical Gospel of Thomas should be added to the historian's dossier on Jesus, though not too many have been convinced by the argument.¹ If the

¹ Helmut Koester, "Apocryphal and Canonical Gospels," *Harvard Theological Review* 73 (1980), 112-118; John Dominic Crossan, *Four Other Gospels. Shadows on the Contours of the Canon* (Minneapolis, Winston: 1985); and the "Jesus Seminar" (see, for example, the title of Robert W. Funk, Roy W. Hoover and The Jesus Seminar, *The Five Gospels: The Search for the*

historical Jesus is going to be extracted from any documents, they appear to be the Gospels called after Matthew, Mark, Luke and John and composed by Christian believers sometime between 70 and 100 C.E.,² that is, forty to seventy-odd years after the death of Jesus. There are some other bits and pieces of what might be evidence—a heavily interpolated passage in Josephus,³ for example, but whatever there is, literary or archeological, it is chiefly confirmatory of what is already in the Gospels.

What we do have for Jesus, however, is a great mass of background information about the time and the place in which he lived, the varieties of Judaism that flourished there, and the hopes, fears and expectations of his contemporaries. From the information provided by Josephus,⁴ the Dead Sea Scrolls,⁵ and the archeological mining of Israel, we can put the admittedly sketchy foreground life of Jesus of Nazareth against a background that is very rich and very deep indeed. Does that background also include the rabbinic writings like the Mishna (redacted ca. 200 C.E.) or the two Talmuds (redacted ca. 400-600 C.E.)? It was once thought so, but that conviction has grown progressively weaker in recent times.⁶

Jesus died sometime around 30 C.E., when he was about 34 years of age. Muḥammad died almost exactly six centuries later, in 632 C.E., at an age that is difficult to determine. The traditional dating makes him 62 years old, but that appears almost certainly too old.⁷

Authentic Words of Jesus (New York: Macmillan Publishing Company, 1993); *Contra*: John P. Meier, *A Marginal Jew. Rethinking the Historical Jesus*, Volume One: *The Roots of the Problem and the Person* (New York: Doubleday, 1991), 130-9. There is an enormous bibliography on almost every topic touched upon in this paper, and so only significant or representative works will be cited.

² It was once thought that the Gospels might be even later than this span, but now the sense is that, if the chronology is going to be altered, it is going to be moved back, not forward. For one such set of arguments, see John A. T. Robinson, *Redating the New Testament* (New York and Philadelphia: Westminster Press, 1976).

³ *Antiquities* 18.3.3; on its authenticity, or rather, its lack of it, see Emil Schürer, revised and edited by Geza Vermes and Fergus Millar, *The History of the Jewish People in the Age of Jesus Christ*, Vol. 1 (Edinburgh: T. & T. Clark Ltd., 1973), 428-41.

⁴ E. P. Sanders, *Judaism. Practice and Belief* (Philadelphia: Trinity Press, 1992) is but one, albeit extraordinary, example of the exploitation of the riches Josephus offers the historian of first century Palestine.

⁵ See, most recently, James H. Charlesworth (ed.), *Jesus and the Dead Sea Scrolls* (New York: Doubleday, 1993).

⁶ H. L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch*, 5 vols. (Munich: Beck, 1922-1928) is the monument to the earlier conviction, and Jacob Neusner (see, *inter alia multa*, *Rabbinic Literature and the New Testament. What We Cannot Show, What We Do Not Know*. Valley Forge: Trinity Press International, 1994) its principal sapper.

⁷ Lawrence J. Conrad, "Abraha and Muḥammad: Some observations *apropos* of chronology and literary topoi in the early Arabic historical tradition," *Bulletin of the School of Oriental and African Studies*, 50 (1987), 225-40; cf. Henri Lammens, "l'Age de Mahomet et la chronologie de la sira," *Journal Asiatique*, 10th series, 17 (1911), 209-50.

We know about Muḥammad from biographies written from within a few decades after his death (ʿUrwa ibn al-Zubayr, ca. 712) down through the work of the historian Ṭabarī, who died in 923 C.E. Or so we are told. Of those books we actually possess only a few from the end of that period, and we are dependent upon them — Wāqidi, Ibn Saʿd, Ibn Hishām and Ṭabarī — to inform us of the contents of the earlier works which we know of a certainty once did exist.⁸ Thus, there were eyewitness memories of the life of Muḥammad, though we do not have them from the eyewitnesses themselves but from later redactors and editors. There is not much expectation of discovering independent information in any author later than Ṭabarī (d. 923).

All these works, early and late, were written by Muḥammad's followers, just as the Gospels were written by Jesus' followers. There are no "neutral" sources on Muḥammad. It is worth noting, however, that sixth century Arabia was surrounded by highly literate societies, those under Byzantium in Egypt, Palestine and Syria; those under the Sasanians in Iraq; the Abyssinians across the Red Sea; and the related but non-identical South Arabian society in the Yemen. None of the contemporary works of these peoples mentions Muḥammad in his lifetime, when his movement was already making a stir. This is not terribly surprising, given the remoteness of events in the Ḥijāz, but what is surprising is that no one of these societies, all of which had a more than passing commercial interest in western Arabia, makes any mention at all of Mecca, which the later Muslim sources would have us believe was an important place even before the rise of Islam. Finally, attempts at canvassing "hostile" sources on Muḥammad — from the 630s onward Muslim armies overran most of the literate Christian societies of the Middle East, and the equally literate Jewish communities within them — has not led to any substantial addition to the available information about Muḥammad.⁹

Today we possess no sixth or seventh century documentation from the Ḥijāz, and if our sources did, it could not have been a great deal, and

⁸ On the early Muslim biographies of Muḥammad, preserved or merely attested: J. Horowitz, "The Earliest Biographies of the Prophet and Their Authors," *Islamic Culture*, 1 (1927), 535-59; 2 (1928), 22-50, 164-82; Abd al-Aziz al-Duri, *The Rise of Historical Writing Among the Arabs*, translated by Lawrence Conrad with an introduction by Fred M. Donner (Princeton: Princeton University Press, 1983); Tarif Khalidi, *Arabic Historical Thought in the Classical Period* (New York: Cambridge University Press, 1994): 30-48, 68-81.

⁹ Sebastian Brock, "Syriac Sources for seventh-century history," *Byzantine and Modern Greek Studies* 2 (1976), 17-36; *idem*, "Syriac Views of Emergent Islam," in G. H. A. Juynboll (ed.), *Studies on the First Century of Islam* (Carbondale: Southern Illinois University Press), 9-22; Patricia Crone and Michael Cook, *Hagarism: The Making of the Islamic World* (Cambridge: Cambridge University Press, 1977), 3-15; Andrew Palmer, *The Seventh Century in the West Syrian Chronicles* (Liverpool: Liverpool University Press, 1993).

certainly not so much as some of them would have us believe.¹⁰ Mecca and Medina had no archives in Muḥammad's day, nor any, it appears, for a long time thereafter. In the sixth and seventh centuries they were centers of an oral society where writing was of a very limited and specialized use. We have, then, few resources for reconstructing the society of Muḥammad's Mecca and Medina from contemporary written sources, or even archeological ones, since formal archeological investigation has never been permitted within those sacred precincts.¹¹ If such a reconstruction is to be done at all, it must be accomplished from the redacted work of tribal poets of the steppe and later Muslim histories of that time and those places, and, in either case, by authors not much interested in the political economy of the pre-Islamic Ḥijāz, and even less concerned with the pagan religious practices of those unholy and ignorant (*jāhili*) days.

The social, political and religious systems of the pre-Islamic environment of western Arabia have thus to be *extracted* from highly resistant material. It was done, and in a remarkably virtuoso manner, by two scholars, the Italian prince, Leone Caetani,¹² and the Belgian Jesuit, Henri Lammens.¹³ Ironically, both men were highly skeptical of the Arab sources with which they were dealing, but Lammens' portrait of Mecca in particular, a highly seductive and self-serving construct, has provided, and continues to provide, the background of every modern Western life of Muḥammad. Henri Lammens is, in effect, the Josephus of Muḥammad research,¹⁴ and that fact marks with great precision one of the principal differences between the study of Muḥammad's life and that of Jesus.

There are other differences as well. For a long time, for a very long time—from the first century, when the Gospels were written, down to the nineteenth—everyone who wrote about Jesus did so under the conviction that "Here, indeed, is the Son of God" (Mk. 15:39). The struggle to

¹⁰ The so-called "Constitution of Medina" included in the Ibn Ishāq-Ibn Hishām biography of Muḥammad is an example of what is likely an authentic preserved document [see R. B. Serjeant, "The *Sunnah Jamī'ah*, Facts with the Yathrib Jews, and the *Tahrim* of Yathrib; Analysis and Translation of the Documents Comprised in the So-Called 'Constitution of Medina'," *Bulletin of the School of Oriental and African Studies* 41 (1978), 1-42.], while the extensive correspondence conducted by Muḥammad and various world leaders and reproduced in other biographies are almost certainly all forgeries.

¹¹ Even if such were undertaken, there is little expectation that much would be found, particularly at Mecca where the principal buildings sit in the midst of a wadi often scoured in the past by the common flash floods of the region.

¹² Leone Caetani, *Annali dell' Islam*, Vols. 1 & 2 (Milan: Hoepli, 1905-1907).

¹³ See particularly Henri Lammens, *La Mecque à la veille de l' Hégire* (Beirut: Imprimerie Catholique, 1924).

¹⁴ See, for example, two of the most influential: Eric R. Wolf, "The Social Organization of Mecca and the Origins of Islam," *Southwestern Journal of Anthropology* (1951), 329-56; and W. Montgomery Watt, *Muḥammad at Mecca* (Oxford: Clarendon Press, 1953); cf. the discussion in Maxime Rodinson, *Islam and Capitalism* (Austin: University of Texas Press, 1978), 254 n. 3.

separate the "historical Jesus" from the "Jesus of history," the Christ,¹⁵ has been a long and arduous one, but the historians may have finally succeeded in convincing the theologians to conduct their colloquies elsewhere and allow the quest for the historical Jesus to proceed without the burden of *theologoumena*. It is true that most of the contemporary Jesus historians are, in fact, reformed, or closeted, or disguised theologians, but they nonetheless know the difference between historical and theological discourse, and they are generally quick to signal any violations of that protocol among their colleagues. More, the Christians have now been joined by Jewish workers in the vineyard of Jesus research,¹⁶ and the latter, needless to say, are even quicker to whistle dead a theological foul.

In the case of Islam, we should be able to conclude that no great space separates the historical Muḥammad from the Muḥammad of history, to borrow the Christian distinction. Muḥammad was, after all, a mere human, as the Qurʾān insists.¹⁷ Unlike Jesus' tomb in Jerusalem, Muḥammad's at Medina is comfortingly —comfortingly at least for the historian who grows uneasy with empty tombs— occupied by the very mortal remains of the Prophet of Mecca. But the matter is not so simple. Between the historical Muḥammad, the man who was born in Mecca and died in Medina in 632 C.E., and the Muḥammad of history who grew up in his wake stands the dynamics of Muslim piety so strikingly described by Tor Andrae at the beginning of this century and Annemarie Schimmel in more recent times.¹⁸ The Muḥammad of history has in fact become far more than a mere mortal in a variety of ways, but one transformation in particular has complicated the historian's task. Early on, early enough, at any rate, to

¹⁵ See one of the paradigmatic works in this regard, the celebrated lecture of "The Problem of the Historical Jesus" delivered by Ernst Käsemann of Göttingen in 1953 and published in English in his *Essays on New Testament Themes* (Naperville: Allenson, 1964): 5-47.

¹⁶ Joseph Klausner, *Jesus of Nazareth: His Life, Times and Teaching* (New York: The Macmillan Company, 1925); Paul Winter, *On the Trial of Jesus* (Berlin 1961); new edition by T. A. Burkill and G. Vermes (Berlin: De Gruyter, 1974); Joel Carmichael, *The Death of Jesus* (New York: The Macmillan Company, 1962); Haim Cohn, *The Trial and Death of Jesus* (New York: Harper and Row, 1971); Hyam Maccoby, *Revolution in Judaea. Jesus and the Jewish Resistance* (London: Orbach and Chambers, 1973); Geza Vermes, *Jesus the Jew. A Historian's Reading of the Gospels* (London: William Collins & Sons, 1973); *idem*, *Jesus and the World of Judaism* (Philadelphia: Fortress Press, 1983); *idem*, *The Religion of Jesus the Jew* (Minneapolis: Augsburg, 1993); Ellis Rivkin, *What Crucified Jesus?* (Nashville: Abingdon Press, 1984); David Flusser, *Judaism and the Origins of Christianity* (Jerusalem: Magnes Press, 1988), to cite only some of the best known.

¹⁷ 18: 111; 41: 6, etc.

¹⁸ Tor Andrae, *Die Person Muhameds in Lehre und Glauben seine Gemeinde* (Stockholm: F. A. Norsted & Suner, 1918); Annemarie Schimmel, *And Muḥammad is His Messenger. The Veneration of the Prophet in Islamic Piety* (Chapel Hill: The University of North Carolina Press 1985). For an analysis of the earliest development of such material, see now Uri Rubin, *The Eye of the Beholder. The Life of Muḥammad as Viewed by the Early Muslims. A Textual Analysis* (Princeton: The Darwin Press, 1995).

infect the Muslim sources, a veneration of Muḥammad grew into the dogma of the impeccability of the Prophet. Like the virginity of Mary in Christianity, the impeccability of the Prophet expanded *ante*, *inter* and *post* his call to Prophethood.¹⁹ The Muḥammad who worshipped the gods and goddesses of Mecca well into his adulthood has all but disappeared behind the dogma of *ʿiṣma*, impeccability.²⁰ In his place the Muslim sources give us a veritable infancy gospel filled with epiphanies and validation stories about a scrubbed and polished saint holy from womb to tomb.

One problem that his biographers did not have, however, was the reconstruction of Muḥammad's teachings. What Jesus taught in his lifetime has laboriously to be extracted from beneath the somewhat heavy redactional hands at work in the Gospels. Are these the *ipsissima verba* of Jesus?²¹ If not, is this his *ipsissima doctrina*? Was Jesus primarily the ethical teacher so beloved of nineteenth century scholarship, or the wonder-worker somewhat more favored in the latter part of the twentieth? Was he revising, reforming or repudiating Jewish law? Was the Kingdom of God at hand *now* through his deeds, or would it be at hand in the near future when the Son of Man descended from the clouds in glory?

All these positions, or as E. P. Sanders has shown,²² almost any combination of them, can be argued from the Gospels. Happily, the teachings of Muḥammad do not have to be reconstructed, nor even, in their main outlines, much argued. They lie on the very surface of the Qur'anic text. They are not always easy to interpret, it is true — particularly since they are often presented without context — but what is there is undoubtedly authentic: *ipsissima verba*, *ipsissima doctrina*.²³ The historian of Muḥammad is in an enviable position, it would appear, but there is another, exceedingly troubling circumstance to these teachings. Jesus' public career spanned three years at the outside, possibly a year or less at the inside. One can change one's mind or one's strategy within that period, of course,

¹⁹ Andrae, *Die Person Muhammads*, 124-174; Rubin, *Eye of the Beholder*, 77-99. The oldest recorded reference to Muḥammad's impeccability occurs in a speech reputedly made by Abu Bakr at Muḥammad's death and reported in Tabari, *Annals*, 1:1845; cf. Meir M. Bravmann, "The Origin of the Principle of *ʿiṣma*," *Le Muséon*, 88 (1975), 221-225.

²⁰ Harris Birkeland, *The Lord Guideth. Studies on Primitive Islam* (Oslo: H. Aschehaug, 1956), 28-33; M. J. Kister, "The Sons of Khadija," *Jerusalem Studies in Arabic and Islam*, 16 (1993), 75-79; for the same phenomenon at work in Jesus research, see Paul W. Hollenbach, "The Conversion of Jesus: From Jesus the Baptizer to Jesus the Healer" in H. Temporini and W. Haase (eds.), *Aufstieg und Niedergang der römischen Welt*, Part II, Vol. 25/1 (Berlin and New York: Walter de Gruyter, 1982), 196-219.

²¹ This was most recently the task of the so-called Jesus Seminar; Funk et al., *The Five Gospels*.

²² E. P. Sanders, *The Historical Figure of Jesus* (Harmondsworth: Penguin, 1993), 169-204.

²³ John Wansbrough's *Qur'anic Studies* (Oxford: Oxford University Press, 1977) argues for a final, late eighth century redaction, or, as he prefers, "canonization," of the Qur'ān, but a redaction worked upon what are, to some undefined extent, "prophetic *logia*."

but the possibilities are obviously limited. The Qurʾān, on the other hand, spans a period of some twenty-two or twenty-three years and radically changed circumstances in Muḥammad's life: the failed preacher of Mecca ended his days as the triumphant prophet and statesman of Medina. The historian scents in this data the possibility of tracing the evolution of a prophet. The committee that finally assembled the Qurʾān was not very sympathetic to this view, however: to the startled chagrin of the historian, they shuffled the order of the *sūras*, the 114 chapters that constitute our Qurʾān, and rearranged them in order of their descending length.²⁴

Western as well as medieval Muslim scholars have expended considerable labor in attempting to reconstitute the chronological order of the *sūras*, a task rendered exceedingly difficult by the obvious fact that many of the *sūras* are obviously composite, that is, they are made up of more than one revelational unit, what is called in Gospel studies a *pericope*. Why the Muslims should concern themselves with this problem in the first place points to another difference between the Gospels and the Qurʾān. Christians believe that the canonical Gospels are entirely and simultaneously true: hence, the great effort at harmonizing the apparently contradictory, or at least discordant, accounts of the same event in the four Gospels. But Muslims have been taught by their lawyers, and the Qurʾān gives some support to the theory,²⁵ that at least some parts of the Qurʾān have modified or even abrogated other parts.²⁶ Thus the necessity of determining the sequence of the revelations: the abrogating must of necessity be later than the abrogated verse or verses.

The Gospels do not, of course, merely echo Jesus' teaching; they also represent the evangelists' reflections on those teachings at a remove of some thirty or forty or fifty years. Doubtless there was some adjustment in the light of subsequent events, on the postponement of the *eschaton*, for example; the ingathering of the Gentiles into the *ekklesia*; and, most notoriously, the estrangement of Jesus' followers from the main body of the Jews. All these later themes have obviously been incorporated into the Gospels by their authors. But Muḥammad, as we have seen, had no need of evangelical *retractions*; he could make his own over the more

²⁴ We have no clue as to why this particular order was chosen. The closest analogue is in the authentic letters of Paul, which are arranged in the New Testament canon in the same order of descending length, though here the chief consideration was fitting them economically on a standard papyrus roll [Charles H. Buck, "The Early Order of the Pauline Corpus," *Journal of Biblical Literature*, 68 (1949), 351-7; Jack Finegan, "The Original Form of the Pauline Collection," *Harvard Theological Review*, 49 (1956), 85-103.], a mechanical element that does not appear to have been in play in the ordering of the Qurʾān.

²⁵ Notably 2: 106 and 22: 52; and cf. W. Montgomery Watt, *Bell's Introduction to the Qurʾān* (Edinburgh: Edinburgh University Press, 1970), 86-9.

²⁶ John Burton, *The Sources of Islamic Law: Islamic Theories of Abrogation* (Edinburgh: Edinburgh University Press, 1990).

than twenty years that went into the making of the Qurʾān. There are unmistakable signs that he did just that, and once again the Jews provide the yardstick. The Meccan *sūras* reveal a Muḥammad showing an easy, if not always well instructed, fellowship with the biblical prophets. The pillars of his own mission rest firmly upon Jewish, or at least biblical, foundations. But in the Medina *sūras* the tone changes. Muḥammad knows more about both the Bible and the Jews, but here he is also concerned to distinguish himself from them. He is neither a Jew nor a Christian; his is the "religion of Abraham." At Medina Muḥammad has grown wary of the "Peoples of the Book," as he calls them, and if forced to choose among them, it is now clearly the Christians he prefers.

None of this surprises; what is more remarkable about the Qurʾān is the history that is *not* revisited or revised. There is no visible reflection on Muḥammad's unhappy Meccan experiences, no vindictiveness against the Quraysh who had sought to kill him, and, perhaps most surprisingly, no triumphalist gloating in the face of the increasing successes of Muslim armies and the even wider spread of Islam. Unlike Jesus, Muḥammad lived long enough to be his own Constantine, to see Islam established as the religion of most of Arabia. And he could have, if he had chosen, written his own *Laudes Constantin* into the Qurʾān. He readily embraced the role of Constantine, the priest-emperor, and his mosque-domicile in Medina was at least in some respects a *sacrum palatium*. But Muḥammad declined to play Eusebius. The Medina *sūras* of the Qurʾān do not lack for confidence, but they are not filled with either self-praise or self-congratulation. The Qurʾān "ends" —a very imprecise notion— much as it "began," with its gaze focussed on Salvation History and not on the contemporary events at Mecca and Medina about which the historian is so eager to hear.

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REOPENING THE MUSLIM-CHRISTIAN DIALOGUE OF THE 13-14TH CENTURIES: CRITICAL REFLECTIONS ON IBN TAYMIYYAH'S RESPONSE TO CHRISTIANITY IN *AL-JAWĀB AL-ṢAḤĪḤ LI MAN BADDALA DĪN AL-MASĪḤ*

I. Introduction

In his article entitled "Ibn Taymiyyah: A Ṣūfī of the Qādiriyyah Order,"¹ George Makdisi draws attention to the fact that beginning in the 19th century, Western scholars began propagating an image of the 13th century Muslim theologian Ibn Taymiyyah (d. 726/1328) which was "not . . . very charitable."² This image was based in part on the way in which certain scholars picked up on Ibn Baṭṭūṭah's (c. 779/1377) statement that despite the great esteem in which Ibn Taymiyyah was held, he also "had a screw loose" (*illa anna fī 'aqlihi shay'an*).³ One of these scholars, D. B. Macdonald, went so far as to describe him as having "no use for mystics, philosophers, Ash'arite theologians, or in fact, for anyone but himself."⁴ Makdisi then cites as a possible reason for the development of such a negative image of Ibn Taymiyyah that "we did not feel too charitable toward a man who, in his vast polemical output, found time away from Islamic heresies to write works in refutation of Christians and Jews."⁵

It is to one of such works by Ibn Taymiyyah that I would like to devote attention in the present study, namely, his four-volume work entitled *Al-jawāb al-ṣaḥīḥ li man Baddala Dīn al-Masīḥ*,⁶ or *The Correct Reply to Those Who Have Altered the Religion of Christ*.⁷ My aim here

¹ George Makdisi, "Ibn Taymiyyah: a Ṣūfī of the Qādiriyyah Order," *American Journal of Arabic Studies* 1 (1973), pp. 118-29.

² *Ibid.*, p. 118.

³ Ibn Baṭṭūṭah, *Riḥlah* (Beirut: Dār Ṣādir, 1964), p. 95; cited by Makdisi, *op. cit.*, p. 118.

⁴ D. B. Macdonald, "Developments of Muslim Theology," *Jurisprudence and Constitutional Theory* (New York, 1903), p. 273; cited by Makdisi, *op. cit.*

⁵ *Ibid.*, p. 118-119.

⁶ Taqī al-Dīn Abī al-ʿAbbās Aḥmad ibn ʿAbd al-Ḥalīm ibn ʿAbd al-Salām ibn Taymiyyah, *Al-jawāb al-ṣaḥīḥ li man Baddala Dīn al-Masīḥ*, 4 vols., ed. Faraj Allāh Zaki al-Kurdi and Muṣṭafā al-Qabbānī (Cairo: Maṭbaʿat al-Nīl, 1905). For an English translation of this work, see *A Muslim Theologian's Response to Christianity: Ibn Taymiyyah's "Al-jawāb al-ṣaḥīḥ"*, ed. and trans. Thomas F. Michel (Delmar, NY: Caravan Books, 1984). All quotations from *Al-jawāb* in the present study will be based on my own translations.

⁷ Other polemical works attributed to Ibn Taymiyyah include *Takḥjīl Ahl al-Enjīl*, *Mukhtasar Takḥjīl man Harraf al-Enjīl*, *Masʿalat al-Kanāʿis*, and *Iqtidāʾ (Iqtifāʾ) al-Sirāt al-Mustasalm wa Mujānabat Aṣḥāb al-Jahīm*; see C. Brockelmann, *Geschichte der arabischen Litteratur*, Supplement II (Leiden: E. J. Brill, 1938), p. 123.

is not to investigate the validity of Ibn Baṭṭūṭah's claim,⁸ and certainly not to perpetuate the attitude of antagonism represented by Macdonald and others. Nor will I attempt to deal with the arguments which Ibn Taymiyyah puts forth to demonstrate the prophethood of Muḥammad, or related discussions of Jewish and/or Christian scriptures the intent of which is to reinterpret such texts as prophecies of Muḥammad's coming.⁹ Rather, the focus of the following discussion will be upon the major conceptual and philosophical arguments which Ibn Taymiyyah presents in *Al-Jawāb* against Christian beliefs concerning the Trinity and the incarnation of the Divine in Jesus Christ, bearing in mind, of course, that such arguments will inevitably overlap at points with others which rest explicitly on the Qurʾān, or on Muslim articles of faith based therein.¹⁰

Ibn Taymiyyah states near the beginning of *Al-Jawāb* that he has composed it in response to a book which appeared in Cyprus containing arguments in favor of Christianity. Written in the form of an epistle, this Christian apologetic work is attributed by Ibn Taymiyyah to Būlus al-Rāhib, or Paul the Monk, the bishop of Sidon from Antioch, who was a 12th-century Melkite theologian.¹¹ Ibn Taymiyyah also mentions that other apologetic works have been attributed to the same writer, though he does not cite them by name.¹² As for the epistolary work to which *Al-Jawāb* is a response, it is entitled *Al-Kitāb al-Mantīqī . . . al-Mubārhin ʿan al-ʿItiqāq al-ṣāḥiḥ waʾl-Raʾy al-Mustaqīm*, or *The Book of Sound Reason . . . in Proof of Correct Belief and Upright Opinion*.¹³ It is referred to elsewhere as *Risālah ilā Baʿd Aṣḍiqāʾihi al-Muslimīn*, or *A Letter to Some of His Muslim Friends*.¹⁴ Ibn Taymiyyah summarizes the main points of each of the book's six chapters, which contain arguments to the effect that: (1) Muḥammad was not sent to the Christians, but "to the Arabs of the

⁸ For a treatment of this topic, see Donald P. Little, "Did Ibn Taymiyyah Have a Screw Loose?" *Studia Islamica* 41 (1975), pp. 93-111.

⁹ Cf. *Al-Jawāb* I: pp. 117-81, 361-71; III: pp. 245-95 and all of IV.

¹⁰ For a more general discussion of the theological issues raised in *Al-Jawāb*, see Muzammil H. Siddiqi, "Muslim and Byzantine Christian Relations: Letter of Paul of Antioch and Ibn Taymiyyah's Response," *Greek Orthodox Theological Review* 31 (1986), pp. 33-45.

¹¹ *Ibid.*, I: p. 19; cf. Siddiqi, *op. cit.*, p. 33.

¹² Approximately twenty-four theological treatises have been attributed to him. However, Paul Khoury, who translated into French the epistle to which Ibn Taymiyyah has written in response, believes only five of these works to be authentic writings of Paul of Antioch. (Siddiqi, *op. cit.*, pp. 33-4; citing Paul Khoury, *Paul d'Antioch Evêque Melkite de Sidon* [Beirut, 1964], pp. 1-101.)

¹³ *Ibid.*, p. 20.

¹⁴ Siddiqi, *op. cit.*, p. 33. Siddiqi also notes that Ibn Taymiyyah was one of three Muslim writers to respond to Paul of Antioch's epistle, the other two being Shihāb al-Dīn al-Qarāfī (d. 682/1285) in *Al-Ajwibat al-Fakhrīyah ʿan al-Asʿilat al-Fajrīyah* [on the margin of ʿAbd al-Rahmān Bashizadeh, *Kitāb al-Farq bayna al-Khālīq waʾl-Makhlūq* (Egypt, n.d.)] and Shams al-Dīn al-Anṣārī (d. 727/1327) in *Jawāb Risālat Abī Jaʿfarat Qubruṣ* (Ms. Utrecht: Cod. Mss. Oriental 40). (*Ibid.*, pp. 36-7.)

Era of Ignorance;" (2) Muḥammad praised the Christians' religion in such a way that they are obliged to cling to it; (3) the doctrine of the Trinity is supported by the Old Testament prophets, the Torah and the Psalms; (4) the belief in the Trinity is consistent with both reason and established religious law and principles; (5) Christians are indeed monotheists, while Christian expressions which might appear to suggest polytheism should be viewed in light of their similarity to Qur'anic expressions which are suggestive of anthropomorphism; and (6) Christ came manifesting the perfect religion such that there was no need for any later religion or law.¹⁵

Before proceeding to a discussion of Ibn Taymiyyah's objections to such Christian claims, a word should be said about the prevailing socio-religious milieu in which Ibn Taymiyyah lived and wrote, as well as relevant theological and doctrinal developments which Eastern Christianity had witnessed prior to his time. The Syrian and Egyptian societies of Ibn Taymiyyah's day were characterized by religious pluralism, marked by the existence of numerous sects within Islam as well as the presence of Christians and Jews. One author notes that "religious sentiment at that time was far stronger than nationalistic sentiment. . . ." This fact may serve to explain the enmity which some Christians felt toward Muslims during Ibn Taymiyyah's era, so much so that they rejoiced at the invasion of their homelands by the Mongols and Europeans.¹⁶ A reflection of Ibn Taymiyyah's personal attitude toward Christians may be seen in the fact that his first imprisonment at the age of 30 is said to have come about as a result of his intransigence toward one 'Assāf al-Naṣrānī, a Christian of Suwaydā' who had been accused of insulting the Prophet. It was during this period of incarceration that Ibn Taymiyyah composed *Kitāb al-Ṣarīm al-Mas'lūl 'alā Shātim al-Rasūl* (which, loosely translated, reads, *A Stern Rebuke Against One Who Would Curse the Apostle [of God]*).¹⁷ Such an attitude on Ibn Taymiyyah's part would not have been surprising, of course, given the atmosphere of antagonism which prevailed between Christians and Muslims of the Byzantine era. It is worthy of note in this regard that unlike a number of other Byzantine authors,¹⁸ Paul of Antioch did not charge Muḥammad with being "an imposter or liar or warrior who waged wars and used the sword. . . ."¹⁹ Rather, he simply rejected the notion that Muḥammad's prophethood applied to Christians.

¹⁵ *Ibid.*

¹⁶ Muḥammad Yūsuf Mūsā, *Ibn Taymiyyah* (Cairo: al-Mu'assasah al-'Ammah li'l-Ta'ṭīf wa'l-Nashr, n.d.), pp. 36-7.

¹⁷ Edited by Muḥammad Muḥyī al-Dīn 'Abd al-Ḥamīd (Ṭanṣā: Maktabat Tāj, 1960); see *Encyclopedia of Islam*, first edition (henceforth EI₁), s.v. "Ibn Taymiyyah," H. Laoust, p. 951.

¹⁸ See in this regard Adel Theodore Khoury, *Les théologiens byzantins et l'Islam* (Louvain, 1969).

¹⁹ Siddiqi, *op. cit.*, pp. 34-5.

As for doctrinal differences and developments within Christianity of relevance to our treatment of Ibn Taymiyyah's anti-Christian polemic, Ibn Taymiyyah himself reveals his awareness of the widely divergent views held by Christian theologians on the nature of the Incarnation, which he refers to variously as *al-tadarru'*, or "clothing oneself with armor," *al-itti-hād'*, or "union," and *al-ḥuḍūr*, or "indwelling." He refers to the Jacobites' belief that the person of the Word "became a single essence, one nature and one Person, like water in milk;" the Nestorians' insistence that in Christ there were two essences, two natures and two wills, and that the divine indwelt the human as water rests in a receptacle;" and the Melchites' view (represented by Paul of Antioch) "that Christ had one essence, but two wills and two natures. . . ." ²⁰ In spite of their differences, however, Ibn Taymiyyah notes that "all three groups share in the belief that Christ is God, and also the Son of God, very God of very God." ²¹ Moreover, he derides all three groups for espousing doctrines which he insists are "not taken from a revealed book or prophets sent [by God], nor are they acceptable to the minds of the reasonable." ²² Hence, it is not Ibn Taymiyyah's aim to argue against any one Christian sect in particular, but against Christianity itself, however variously interpreted.

The questions which I would like to address in the following analysis are: On what assumptions does Ibn Taymiyyah base his arguments and which of these could be said to be specifically "Islamic," that is, based upon Muslim articles of faith? How accurately does he represent Christian doctrines? What criteria for determining theological truth does he espouse, and how does he apply such criteria to his interpretation of Islam and his polemic against Christians?

II. A Case Against Christianity: Ibn Taymiyyah's Objections to the Doctrines of the Trinity and the Incarnation

Although the primary focus of this study is upon conceptual arguments, it is of course impossible, given that the debate centers on religious beliefs based on particular bodies of holy writ, to manage a neat separation between "purely" conceptual arguments on one hand, and controversies over the meaning of Qur'anic or Biblical verses on the other. Thus, it will be helpful to examine points raised by Ibn Taymiyyah in

²⁰ Ahmad ibn 'Abd al-Ḥalīm Ibn Taymiyyah, *Tafsīr Sūrat al-Ikhlāṣ*, ed. Tāhā Yūsuf Shāhīn (Cairo: Maktabat Ansār al-Sunnah al-Muḥammadiyyah, 1954), p. 42.

²¹ *Ibid.*; cf. Robert L. Wilken, "Nestorianism," *The Encyclopedia of Religion*, ed. Mircea Eliade (New York: MacMillan Publishing Company, 1987), Vol. 10, pp. 369-73.

²² *Ibid.*

connection with particular Biblical or Qur'anic passages which serve to highlight presuppositions and criteria to which Ibn Taymiyyah adheres. One such instance is the attention which he devotes to the New Testament verse in which Christ says to his disciples, "Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit. . . ." ²³ This, in Ibn Taymiyyah's estimation, is the only Gospel text which could legitimately be taken as alluding to the existence of a Trinity. ²⁴

In commenting on this verse, Ibn Taymiyyah engages in a somewhat involved discussion, the upshot of which is that: (a) Christians have failed to abide by an exegetical principle which Ibn Taymiyyah holds to be sacred, namely, that of interpreting the words of a prophet on the basis of that which was spoken by prophets who preceded him; and (b) they have, as a consequence, misinterpreted the straightforward meaning of the text (*al-sāhir*), attributing to it a sense which contradicts not only the message of former prophets, but sound reason as well. For Ibn Taymiyyah, it amounts to a cardinal rule that whatever "has been correctly transmitted [from the prophets] will never be contradicted by sound reason." ²⁵ Among those beliefs which he considers to conflict irreconcilably with "sound reason" is the Christian doctrine of the Trinity. To believe that One is Three or that Three are One is no more reasonable (and therefore, no more acceptable) than to believe that something simultaneously exists and does not exist, or that an entity is moving and stationary at the same time. He asks: "If you believe it possible for three 'Persons' (*aqānīm*) to be a single essence, then why would it not also be possible for three gods to be one essence, or three actors, . . . or three things," etc. ²⁶ Hence he addresses Christians with the question:

Why do you not leave Christ's words as they are rather than distorting them in this way [i.e., by taking them to mean that God is Three in One]. . . ? Well spoke the virtuous one who said, "If you were to ask a Christian, his son, and his grandson what they believe, each one would relate to you a doctrine which contradicted those of the others" . . . If you adhered to the straightforward meaning of this verse, you would not go astray. . . . ²⁷

²³ Matthew 28:19; all Biblical references will be taken from *The Holy Bible, Revised Standard Version* (New York: Thomas Nelson & Sons, 1953).

²⁴ *Al-Jawāb* III: 153.

²⁵ Ibn Taymiyyah, *Bayān Muwāfaqat Ṣarīḥ al-Ma'qūl*, (Place and publisher not cited), Vol. I, 10; cited by Muḥammad Yūsuf, *op. cit.*, p. 133.

²⁶ *Al-Jawāb* III: pp. 157, 159.

²⁷ *Ibid.*, p. 155.

As has been mentioned, Ibn Taymiyyah maintains that the straightforward meaning of a genuine prophetic saying will never conflict either with reason or with the messages brought by previous prophets. Therefore, Christians who take the straightforward sense of Matthew 28:19 as indicating polytheism—like those Muslims who understand certain expressions in the Qurʾān as suggesting anthropomorphism (e.g., references to God speaking, having a “hand,” ascending the throne, etc.)—are simply mistaken.²⁸ On the basis of the supposition that this verse does suggest polytheism, Christians have resorted to a type of allegorical interpretation based on which they affirm “three Persons (*aqānīm*) . . . the Word of God which is His Son, a creative essence who equals [the Father] in substance, identifying Christ with this Son who is equal to the Father in substance . . . while the Spirit also is a third god, these three gods being One.”²⁹ Instead, he insists, we ought to remember that “nowhere in the words of the prophets—neither Christ nor any other—will one find any mention of God being ‘Persons’ . . . nor any reference to God’s life as being a spirit. . . .”³⁰ The Old Testament prophets never spoke of the Father except as referring to “the Lord,” nor of the “Son” except in the sense of “beloved chosen one;” as for the term “Holy Spirit,” they employed it only as an appellation for “the one whom God sends down upon the prophets and the righteous to uphold them. . . .” To interpret the Father, Son and Holy Spirit in any other sense is, he states, “a blatant lie about Christ.”³¹ His own interpretation of the text, then, is that:

by the Son he [Christ] meant himself, i.e., humanity, not an attribute of God; by the Holy Spirit he meant the One by whom God had upheld him, or the Spirit which was breathed into Christ’s mother at his conception. . . . So how can you claim that you limit yourselves to the straightforward meaning of Christ’s words?³²

Elsewhere, however, Ibn Taymiyyah acknowledges the reason given by Christians for considering Christ’s sonship to be unique:

They say, “We have referred to God’s knowledge as being begotten of Him because of its having been generated from Him as a word is generated from the mind. This knowledge was then united with humanity, and we have called the sum of this union ‘a son.’”

²⁸ *Ibid.*, II: p. 156.

²⁹ *Ibid.*

³⁰ *Ibid.*, pp. 134, 152.

³¹ *Ibid.*, III: pp. 181-2; cf. III: p. 155.

³² *Ibid.*, p. 157.

In this way Christians distinguish between Christ's "sonship" and that of any of the other prophets.

For they say, "These others are sons by position (*bi'l-waḍʿ*), while Christ is a son by nature (*bi'l-ṭabīʿ*). That is, other prophets were called sons by God's will and power because He had chosen them, while the Word which they consider to have been united with Christ was, in their view, begotten of God eternally in a manner which did not result from an act of divine will and power; therefore, they say, 'begotten not made.'³³

Ibn Taymiyyah replies to this by pointing out that in the Old Testament, the children of Israel are all called "sons of God," while in the Psalms God says to David, "You are my son, ask of Me and I will give it to you" [Ps. 2:7-8];³⁴ in the Gospel Christ says, "I am going to my Father and your Father, my God and your God. . . ." [John 20:17] and, "When you pray, say 'Our Father. . . .'" [Luke 11:2]. The Christians also say that the Holy Spirit indwells the saints, indeed, that God indwells all the righteous. Hence, he concludes, "if the indwelling [of] the Son and of the Holy Spirit requires the union of divinity and humanity, then every Christian, as well as every prophet, must be divine and human. . . ,"³⁵ which we know, of course, to be untrue. As for "union,"³⁶ no prophet refers to such a thing with regard to Christ or anyone else, just as we do not find reference to the terms "Trinity," "Persons," etc.³⁷

However, if we supposed that there were more than one sense in which one could be termed a "son" of God, it would not be necessary to leap to the conclusion that everyone referred to as a "son" of God is both divine and human. As for the "indwelling" of the Holy Spirit, Christians have never claimed that this was what made Christ uniquely the Son of God. He himself told his disciples that the Holy Spirit would indwell them as well;³⁸ the Holy Spirit's indwelling is also affirmed of prophets other than Christ.³⁹ Thus, Ibn Taymiyyah is actually in agreement with

³³ *Ibid.*, III: p. 184.

³⁴ For a discussion of this particular theme, see S. Pines, "Israel, my firstborn and the sonship of Jesus: a theme of Moslem anti-Christian polemics," pp. 177-90, in *Studies in Mysticism and Religion* (place unknown, 1967).

³⁵ *Ibid.*, III: 186.

³⁶ Ibn Taymiyyah seems to distinguish in this passage between *ḥuḍūr* and *ittiḥād*, the former being a mere indwelling and the latter referring to a more radical union. However, as used by Ibn Taymiyyah elsewhere, and by some Muslim apologists and mystics, the two terms are by and large synonymous. See *ET*, s.v. "Ittiḥād," R. Nicholson and G. C. Anawati, p. 283; see also *ibid.*, s.v.; "Ḥuḍūr," Louis Massignon.

³⁷ *Al-Jawāb* III: 188.

³⁸ John 14:16-17.

³⁹ Cf. I Samuel 11:6, "... the Spirit of God came mightily upon Saul when he heard these words. . . ." The phrase "and the Spirit of God came upon. . ." is an expression used frequently with regard to Old Testament prophets, implying a temporary "filling" at moments of challenge

Christian belief in stating that Christ has no special claim to the indwelling of the Holy Spirit.

As we have mentioned, Ibn Taymiyyah also insists that if the concept of divine-human union is not found among Old Testament prophets, it therefore must be ruled out. However, such a conclusion is based on a questionable assumption, namely that God is not permitted to do anything for which no historical precedent has been established! In contrast to this, we read in the book of Isaiah God's declaration that:

From this time forth I will make you hear new things, hidden things which you have not known.

They are created now, not long ago; before today you have never heard of them

Lest you should say, "Behold, I knew them."⁴⁰

In a further objection to the notion that the divine indwelt Christ in some unique way, Ibn Taymiyyah refers to a tradition related by al-Bukhārī on the authority of Abū Hurayrah, on the authority of the Prophet:

God says, "If anyone shows enmity toward one of my saints, I shall declare war against him . . . while my servant continues to draw near to me through supererogatory acts of piety in order that I might love him. And if I love him, I shall be the hearing by which he hears, the sight by which he sees, the hand with which he strikes, and the leg on which he walks."

Ibn Taymiyyah notes that this tradition has been cited as evidence in favor of the possibility of divine indwelling or union with humanity.⁴¹ Against such an interpretation, he points out that God distinguishes in this *ḥadīth* between Himself and His saint, between the servant who draws near and the Lord to whom he draws near, which of course is inconsistent with the notion that they are actually one. As for the expression that God is the hearing by which the servant hears, the sight by which he sees, etc., Ibn Taymiyyah likens it to the close identification which can occur between two human beings such that one says to the other, "You are in my heart. . .," which does not mean, of course, that the very self or essence of the other is in the heart of the lover. However, a lover may be so absorbed in the beloved as to say, as Abū Yazīd al-Bisṭāmī did, "Praise be to

or revelation (see I Samuel 10:10; 19:23; 19:20). In the case of Christ, we read of the Holy Spirit descending upon him "like a dove" (Matthew 3:16); following this there is no mention of the Spirit "coming upon" him, the implication being that the Spirit thenceforth indwelt him continuously.

⁴⁰ Isaiah 48:6-8; cf. Numbers 16:30.

⁴¹ *Al-fawā'id* II: 173-174.

me!," having confused himself with God, the divine Beloved.⁴² Of interest in this connection is al-Ghazzālī's understanding of *ḥuḍūr* as presented in the gospels, according to which the statements of Christ in which he identified himself with God were not intended to be taken literally. Rather, they were a manifestation of a special privilege given to him by virtue of his prophetic mission, namely, that of "theopathic locution," that is, the use of metaphorical expressions in which he only appears to be attributing divinity to himself.⁴³ The parallel between Christ and a mystic like al-Bisṭāmī is brought out by the following paraphrase of al-Ghazzālī's view offered by Massignon:

It is through a poetic exaggeration that certain enamored mystics, dazzled by the reflection of God glistening in the mirror of their consciousness, believe themselves to be identified with God, saying "I am the truth." *In which they commit the same error as the Christians, who consider this [divine reflection] in the person of Jesus and say, "this is God."*⁴⁴

Ibn Taymiyyah speculates that "those who have said that Christ or any other human being is God, or that God indwells him, may have fallen into an error of this type,"⁴⁵ that is, the type to which al-Bisṭāmī fell victim.

Ibn Taymiyyah goes on to say that people may easily misinterpret language which makes an intimate identification between human and divine roles in earthly experience, as in the Qur'anic saying, "Whoever obeys the prophet has obeyed God." Such a statement means neither that the prophet is God nor that God indwells the Prophet, but simply that he "commands what God commands, forbids what God forbids, loves what God loves," etc. The same could be said about Christ and all the rest of God's messengers, such that if one obeys them or is hostile toward them, he has done so to God. Ibn Taymiyyah concludes that "whoever reflects on these matters will realize that the term 'indwelling' could express a valid meaning or an invalid one. . . ." ⁴⁶ It is in this way that Ibn Taymiyyah understands Christ's statements that "whoever has seen me has seen my Father" (John 14:19) and, "I and my Father are One" (John 10:30).⁴⁷

The question of whether the divine can "indwell" a human being is of course closely linked with the question of whether the divine might also,

⁴² *Ibid.*, II: 175.

⁴³ Don Wismer, "Jesus as Word: Islam," *Milla wa Milla* 15 (1975), 17.

⁴⁴ Louis Massignon, "Le Christ dans les evangiles selon al-Ghazzālī," *Opera Minora*, Vol. 2, pp. 523-36 (Beirut: Dār al-Ma'ārif, Liban S. A. L., 1963), p. 533; cited by Wishera, *op. cit.*, p. 17. Emphasis in original.

⁴⁵ *Al-Jawāb* II: 176.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*, II: p. 178.

going one step further, be actually "united" with a human being. It is this question which confronts us in the Christian doctrine of the incarnation of the Word of God in Christ. Against this doctrine Ibn Taymiyyah raises a number of arguments, some of which are based solely on logical considerations, and others of which involve an appeal to Muslim and/or Christian scriptures. The first type of objection in its most basic form is expressed by Ibn Taymiyyah as follows: that "the incarnation of the creating Word of God in a created human being . . . which is expressed by saying the union of divinity with humanity, is ruled out on the basis of reason (*mumtani' fi sharh al-'aql*). Whatever is known to be thus ruled out on the basis of reason could not possibly be stated by a [divine] messenger. . . ." ⁴⁸

Knowing Ibn Taymiyyah to be a devout, convinced Muslim believer who does not declare impossible the occurrence of supernatural intervention such as that affirmed by Muslims to have occurred at Jesus' conception—events which by some would be "ruled out on the basis of reason"—one might question whether Ibn Taymiyyah can validly maintain the presupposition that whatever messages the prophets bring must necessarily be comprehensible to the human mind. Such a stance would seem to be inconsistent with faith in a supernatural Being whom the finite human cannot fully comprehend. However, Ibn Taymiyyah makes the following reply to Christians who claim that the union between divine and human "cannot be understood, indeed is beyond all understanding." First of all, he insists, "one must distinguish between that which the mind knows to be senseless and impossible (*ma ya'lamu al-'aqlu buṭlānuhū wā imtinā'uhū*), and that which the mind is incapable of imagining or knowing. . . . The prophets may report the second; however, no one but a liar would state the first." ⁴⁹ Christians hold that their claims concerning Christ being the Word of God incarnate belong in the second category. Given this fact, Ibn Taymiyyah derides Christian sects which, when faced with disagreements among themselves, appeal to reason in defense of their respective views. For if such matters are truly "beyond reason," then no theological questions should be discussed on this basis to begin with. Instead, every propagator of error should be allowed to state whatever falsehoods he so chooses, claiming that it is "beyond reason." ⁵⁰

Secondly, Ibn Taymiyyah accuses Christians of forming their own opinions on theological matters and then claiming to have deduced them from statements in revealed scriptures. If they admit to not understanding the claims they are making (e.g., concerning the Trinity or the Incarnation), they are guilty of a heinous crime against God, that of making

⁴⁸ *Ibid.*, II: p. 157.

⁴⁹ *Ibid.*, III: pp. 123-124.

⁵⁰ *Ibid.*, III: p. 124.

statements concerning the Divine based on ignorance. If, on the other hand, they claim to understand what they are saying, then it is their responsibility to make their beliefs clear to others rather than simply declaring that they are not subject to human comprehension.⁵¹ However, Ibn Taymiyyah concedes that

if one is transmitting established sayings of the prophets, it is not necessary for him to comprehend what he is saying. . . . For if anyone reports what is written in the Torah, the Gospel or the Qurʾān, or in the sayings of any of the prophets, we do not demand that he clarify its meaning, unlike the person who claims to have understood what the prophets said and expressed this in different words. . . .⁵²

In saying this, Ibn Taymiyyah has raised—though not resolved—difficult issues concerning the ways we are to interact with holy writ. Why, one might ask, is human understanding required when one is paraphrasing the words of the prophets, but not if he is quoting them verbatim? What would Ibn Taymiyyah's position be on texts from the New Testament which Christians affirm to be "established" as from Christ himself and yet which cannot be fully comprehended by the mind, especially those which, like Matthew 28:19, suggest a trinitarian view of God? Where does one draw the line between "that which the mind knows to be senseless and impossible" on one hand, and "that which the mind is incapable of knowing or imagining" on the other? Is this distinction a fully valid one? If one acknowledges limitations to human reason, it would appear not to be. And how shall we approach texts, whether Biblical or Qurʾanic, which people claim to understand, but in mutually exclusive ways? Adhering to their words verbatim has never yet been known to solve the problem! If it had, we might have been spared endless controversies over ambiguous verses, both Biblical and Qurʾanic. Ibn Taymiyyah argues elsewhere that we have been given the capacity to understand all of the Qurʾanic revelation (and, one might safely assume by implication, all revealed scriptures); otherwise, he asks, how could the Qurʾān be described as being "guidance, revelation, healing," etc.⁵³ Surely if we understood none of the revelation, it could not be a source of guidance or healing for us. But does that leave no room for mystery, for the humbling of our intellectual hubris? As Ibn Taymiyyah himself would say, the believer is obligated to accept by faith that God "sat down upon the throne" ⁵⁴ without presuming

⁵¹ *Ibid.*, III: pp. 124-125.

⁵² *Ibid.*

⁵³ *Al-Ikhlāṣ*, pp. 119-24.

⁵⁴ Sūrah VII, p. 54. All Qurʾanic references will be based on *The Holy Qurʾān: Text, Translation and Commentary*, ʿAbdullah Alī Yūsuf (New York: Tarsile Tahrike Qurʾān, Inc., 1988).

to ask how. Is there no parallel between this mystery and that affirmed by Christians in the doctrine of the Trinity?

Ibn Taymiyyah deals with the Christian doctrine of the Trinity elsewhere in *Al-jawāb* as well. In a paraphrase of Paul of Antioch's presentation of this teaching, he states that there is:

one God, one Lord, one Creator . . . which always has been and still is speaking, living. That is, [there is] the Essence (*al-dhāt*), the Word or Utterance (*al-naṭq*), and the Life (*al-ḥayāh*). The Essence, in our belief, is the Father, who is the source of the other two (*ibtidā' al-ithnayn*), the Word is the Son, who is born of [the Father] as speech is born of the mind, and the Life is the Holy Spirit.⁵⁵

In addition, Ibn Taymiyyah quotes in full the Nicene Creed,⁵⁶ part of which states that the Son is "equal in substance with the Father." This belief is untenable in his view because in order for the Word to be equal to the Father in substance, or essence (*fi'l-jawhar*), the Word must itself be an independently existing essence: "nothing could equal the Father in substance except another substance; it would thus be necessary for the Son to be a second essence and the Holy Spirit a third . . . and this is a statement of [the existence of] three essences, three gods. . . ." ⁵⁷ Elsewhere Ibn Taymiyyah criticizes Christians for employing the term "essence"—a term which he says is not of Arabic origin—to refer to God, since not only was it never used by the prophets, but its originator was Aristotle, a pagan! ⁵⁸ Regarding Christian beliefs about the Holy Spirit, Ibn Taymiyyah notes that, as stated in the Nicene Creed, the Holy Spirit "has spoken by the prophets." He also refers to Paul of Antioch's description of the Holy Spirit as "the life of God."⁵⁹ However, "the life of God is an attribute which inheres in God [alone] and does not indwell any other, "and therefore it could not have been this Spirit which spoke through him . . . And if the Holy Spirit who was in the prophets was one of the three Persons of the Trinity, then every one of the prophets would be a god to be worshipped, his humanity joined to divinity. . . . But you acknowledge divine indwelling and union only of Christ." ⁶⁰

⁵⁵ *Ibid.*, II, pp. 114-19.

⁵⁶ *Al-jawāb* II: pp. 109-10.

⁵⁷ *Ibid.*, II: p. 115.

⁵⁸ *Ibid.*, III: 195-8; it is of interest in this regard that the Nestorians, who moved their see in 762 A.H. to Baghdad, the 'Abbāsid capital where they were held in esteem by the 'Abbāsid caliphs, were the first to promote Greek philosophy and science in the Islamic empire by translating Greek texts into Syrian and then into Arabic. (See Matti Moosa, "Nestorian Church," *The Encyclopedia of Religion*, ed. Mircea Eliade [New York: MacMillan Publishing Co., 1987], Vol. 10, p. 370.)

⁵⁹ *Ibid.*, II: pp. 116-17.

⁶⁰ *Ibid.*, II: pp. 117-18.

Furthermore, he objects, as an attribute of God inhering in Him (i.e., God's "life"), the Holy Spirit cannot be said, as the Creed states, to "proceed" (*yanbathiqu*) from God anymore than do other attributes such as God's knowledge or power.⁶¹ Or if one did speak of "proceeding," then it would be more applicable to God's speech than to God's life. Thus, if there were among God's attributes that which could be described as "proceeding" from God, it would be what they refer to as "the Son," which they describe as being divine knowledge, speech, expression or wisdom. Ibn Taymiyyah's objection to the notion of anything "coming forth" from God is linked to his understanding of the Qur'anic description of God as *al-Ṣamad*, namely "the One from whom nothing proceeds."⁶² However, this does not, he says, refer to speech, based on the *ḥadīth* which states that, "Human beings have not drawn near to God via anything superior to that which has proceeded from Him,"⁶³ i.e., the Qur'an; for when God speaks, no part of His essence departs from Him. However, if 'proceeding' means 'coming forth' (*khurūj*), then it cannot be said with regard to God, because such a process would, in Ibn Taymiyyah's view, entail partitioning (*tabṣiḍ, tajzi'ah*) of the divine Being;⁶⁴ for another meaning of *al-Ṣamad*'s "the One who is not subject to partition (*al-tajazzī*) in His essence."⁶⁵

A briefer but somewhat odd argument which Ibn Taymiyyah makes against the Christian notion of the Incarnation is that if Christ "was incarnate of the Holy Spirit and the Virgin Mary," then He is both the Word of God and the Life of God. In other words, Christ is then both the Son and the Holy Spirit, which means that he is identified with two Persons of the Trinity rather than only one. "And if the Holy Spirit is not in fact the Life of God, then Christians' explanation of the Holy Spirit is false."⁶⁶ Here, for the sake of argument, Ibn Taymiyyah accepts the possibility of God being thought of as existing both as one Essence and three Persons (*aqānīm*). However, he gives a distorted representation of the roles of Mary and the Holy Spirit in the Incarnation, roles which are generally taken by Christians to be those of "catalytic agents," as it were, in the process of incarnation, but not that of "subject," which was the Word of God.

Ibn Taymiyyah's statement thus reflects neither the Christian doctrine which he is criticizing, nor the Muslim understanding of Jesus Christ's relationship to the Word of God, according to which he was created by God's Word. He was called a "word from God" because he was, like Adam,

⁶¹ *Ibid.*, II: p. 155.

⁶² *Al-Ikhlāṣ*, p. 4; this definition is attributed to 'Ikrimah.

⁶³ *Ibid.*, 19.

⁶⁴ *Al-Jawāb* II: p. 156.

⁶⁵ *Al-Ikhlāṣ*, pp. 5-6; citing al-Tirmidhi.

⁶⁶ *Al-Jawāb* II: pp. 116-17.

created by God's mere command to "Be!". "The similitude of Jesus before God is as that of Adam; He created him from dust, then said to him: 'Be!' and he was."⁶⁷ The role of the Holy Spirit—identified in Islam with the angel Gabriel—is clearly that of agency (or instrumentality) in that Jesus' conception occurred through God's inbreathing (*naṭṭh*) into Mary via the angel.⁶⁸ In regard to this aspect of how Christ entered the world, Christians and Muslims appear to be in agreement. However, as in the Christian affirmation that Jesus was himself the divine Word, there is no confusion between Jesus Christ and the Holy Spirit. Hence, the image on which Ibn Taymiyyah bases this particular objection is consistent with neither the Christian nor the Muslim understanding of Christ's relationship to the Holy Spirit.

One particular theme to which Ibn Taymiyyah gives attention in a number of his arguments against the Trinity is that of the three Persons (*aqānīm*) of the Trinity being described as divine attributes (*ṣifāt*). Referring to this notion, he mentions at one point that "the Christians claim that three of God's attributes are alone essential (*jawhariyyah*) among the rest. . . ."⁶⁹ One of the reasons for his objection to such a claim is his rejection of attempts—begun by Greek philosophers—to distinguish between essential and non-essential attributes.⁷⁰ In addition, he notes that based on the notion that God consists of three Persons, Christians have disputed endlessly over which three divine attributes, corresponding to the three Persons, are "essential". Should God be described as "Existing, Living and Knowing" (corresponding to the Father, the Holy Spirit and the Son respectively)? Or as "Existing, Almighty and Knowing," such that the Holy Spirit is identified with God's power rather than with God's life? God's Word is variously identified as divine knowledge, divine wisdom, and divine expression, the latter term being used in particular by Paul of Antioch. All of this, he says, simply reveals the Christians' error and confusion, for "they cannot find three meanings which merit being considered 'essential' apart from God's other attributes. . . ."⁷¹ Moreover, he notes that there is a close semantic link between attributes and names, since the latter often imply the former; e.g., the name "Living" (*al-ḥayy*) implies the attribute of life (*al-ḥayāh*), the name "Knowing" (*al-ʿālim*) implies knowledge, etc. Hence, "the names by which people know God are both names and attributes. . . . [The names] indicate meanings which are the attributes inhering in God. . . ."⁷² Not only so, but "the names of

⁶⁷ Sūrah III, p. 59.

⁶⁸ See Wismer, *op. cit.*, pp. 16-17.

⁶⁹ *Al-Jawāb* II: p. 147.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*, II: pp. 148-9.

⁷² *Ibid.*

God are numerous and varied. . . .” But if God’s names—and hence, God’s attributes—are so numerous, “then limiting them to three to the exclusion of the rest is invalid.”⁷³

Based on the conceptualization of the Trinity presented above, Ibn Taymiyyah offers the following objection: If, on one hand, the Word, or knowledge, of God which was united to Christ refers to the very Essence or Self which knows and speaks, then Christ himself is the Father, while he is also the Son and the Holy Spirit, which Christians would deny to be the case. Suppose, on the other hand, that the being united to Christ was simply the Word, or knowledge itself. In this case it would have to be remembered that speech and knowledge are attributes; moreover, an attribute has no existence apart from the being to which it is attributed. It would follow from this that: (a) such speech or knowledge could not be united to Christ apart from the Essence [to which it is attributed], which brings us back to the first possibility proposed above, and (b) since a divine attribute is not itself the creating, knowing God, then it would be false to claim that Christ was actually the Divine Being to whom we attribute the acts of creating, sustaining, etc. Hence, in either case, the Christians’ claim that the Divine was incarnated in Christ is shown to be unsound.⁷⁴

The conception of the Trinity upon which Ibn Taymiyyah bases this objection—namely, that: (a) the Father is the Essence from which the Holy Spirit and the Word proceed and to which they are related as attributes, and, (b) that each of these three ‘Persons’ is itself an attribute of God (who would then have to be the Essence encompassing all three)—is clearly confused. The difficulty may be resolved, however, by noting that the identification of each member of the Trinity with a single attribute of God, although Ibn Taymiyyah portrays it as representing Christian belief, does not in fact correspond to the Biblical representation of God. Rather than each “Person” of the Trinity embodying a single attribute, each one is depicted as embodying *all* qualities of the Divine: the “Father” and “Holy Spirit” speak just as does the “Word” or “Son;”⁷⁵ the “Son” gives life (e.g., by resurrecting Lazarus) just as do the Father and the Holy Spirit,⁷⁶ and so on. Hence, what Ibn Taymiyyah criticizes here as being a Biblical view, although it may have been espoused by some Christian thinkers, is nevertheless challenged by Biblical teaching itself. This being the case, the premise on which Ibn Taymiyyah bases this objection is subject to question.

⁷³ *Ibid.*, II: pp. 110-11; cf. *Ikh/āṣ*, 44.

⁷⁴ *Al-Jawāb* II: pp. 112-13, 157-8; cf. *Ikh/āṣ*, pp. 43-4.

⁷⁵ See Matthew 3:17; Acts 13:2.

⁷⁶ See John 11:43-44; Romans 8:11; Acts 2:23-24.

A further argument proposed by Ibn Taymiyyah is based on an analogy between the unification of divinity and humanity, and the union of soul and body. If one draws such an analogy, he states, one must remember that whatever suffering afflicts the body affects the soul as well. It follows, then, that when Christ was crucified and suffered bodily pain, his divinity would also have suffered.⁷⁷ Let us assume that Ibn Taymiyyah's premises and conclusion are sound, and that indeed, the divine suffered in Christ. To take such a conclusion as grounds for rejecting the possibility of the Incarnation is to betray a particular preconception concerning God, namely that it is incompatible with God's being "God" for Him to experience pain. This notion is reminiscent of that held by Greek philosophers such as Aristotle,⁷⁸ according to whom the Perfect Being, as the "Unmoved Mover," could not under any circumstances be a "patient," but only an "agent," i.e. the actor rather than the one acted upon or subject to influence. This, however, is inconsistent with Jewish, Christian and even Muslim scriptures. In the Old Testament, for example, God is depicted as yearning for and grieving over His wayward people as a parent agonizes over a child gone astray, even to the point of appearing to be subject to change:

Every evil of theirs is in Gilgal;
there I began to hate them.
Because of the wickedness of their deeds . . .
I will love them no more.⁷⁹

When Israel was a child, I loved him,
and out of Egypt I called my son.
The more I called them,
the more they went from me. . . .
How can I give you up, O Ephraim!
How can I hand you over, O Israel!
. . . My heart recoils within me, my compassion
grows warm and tender.
I will not execute my fierce anger,
I will not again destroy Ephraim;
for I am God and not man,
the Holy One in your midst,
and I will not come to destroy.⁸⁰

⁷⁷ *Al-Jawāb* II: pp. 169-70.

⁷⁸ See, for example, Werner Jaeger, *The Theology of the Early Greek Philosophers* (Oxford: Clarendon Press, 1947), p. 45.

⁷⁹ Hosea 9:15.

⁸⁰ Hosea 11:1-2, 8-9.

In the New Testament, the notion of Christ's suffering as both human and divine is based on the same notion as that which underlies Hosea's message, namely that God's love for humankind—a reflection of the utmost perfection—is so great that He willingly subjects Himself to the possibility of suffering the pain of rejection on their account. According to the Qur'anic message also, God places Himself in relation to human beings first by bringing them into existence, and then by taking the initiative to communicate with humankind through the creation, the prophets, the conscience, and so forth, commanding the good and prohibiting the harmful.⁸¹ The recognition that God could possibly "react" to human beings' decisions or actions is probably greatest among those with a "*Qadariyyah*" bent, i.e., those sympathetic with the view that humans enjoy a degree of free will and therefore, by what they do, elicit responses from God which were not foreordained from eternity. Given such a view, the very fact that God would engage in the acts of creating, revealing, commanding, prohibiting, warning, etc. reflects a divine concern implicit within which is the capacity to be affected by human actions.⁸² In another argument based on the appeal to reason, Ibn Taymiyyah insists that the idea of a union between the Divine and the human involves an irreconcilable contradiction. For if the Divine and the human remained two essences, then there was no actual union. If, on the other hand, they became a single essence, this would require change to have occurred in the eternally unchanging Being.⁸³ Moreover, he continues, it does no good to posit an analogy between the relationship between the soul and the body on one hand, and the Divine and human on the other. For the soul and body profoundly affect one another. What could be more profound, he asks, than the difference between life and death, i.e., between the state of the body when the spirit "indwells" it, and its condition after the spirit has departed? Similarly, the soul suffers and experiences pleasure along with the body's pleasure and suffering. If one follows through with this analogy, the result

⁸¹ Sūrahs II, 117; XLV, 12-13; IX, 71-2; XVI, 43-4.

⁸² Cf. *Āḥ*, s.v. "Kadariyyah," J. Van Ess, 369. This author notes that "occasionally in polemic the Kadarite doctrine was attributed to Christian influence...." Ghaylān al-Dimashqī (d. ?), who developed a nonconformist political program based on the Kadarite notion that the Caliph (like everyone else) is responsible for his actions and should therefore be deposed if he fails to live by the Qur'ān and the Sunnah, was a mawla of Coptic origin, and built his thought upon Christian ideas. (*Ibid.*, pp. 370-1; cf. M.S. Seale, *Muslim Theology* [London, 1964], 18ff.) However, Van Ess also observes that the notion of free will is no less Qur'anic than that of predestination. Al-Ḥasan al-Baṣrī, an early proponent of a moderate Kadarite view, based his thought on careful Qur'anic exegesis, as "deterministic and non-deterministic sayings stand side by side" in the Qur'ān. (M. Watt, *Free Will and Predestination in Early Islam* [London: Luzac, 1948], 12ff., cited by Van Ess, *op. cit.*, p. 371.)

⁸³ *Al-Jawāb* II: p. 158.

remains that a change has occurred in the eternal, unchanging Participant in this union, which of course is not possible.⁸⁴

Finally, in a further application of the soul-body analogy, Ibn Taymiyyah notes that the relationship between soul and body is such that they are "partners in good works and bad, while they both receive reward and punishment." Hence, just as everything done voluntarily by the body is attributable to the soul, so (according to the analogy), everything Christ did would also be God's action.⁸⁵

And since, according to Christians, "the union between the divine and human is more perfect and complete than the soul's union with the body, then would any reasonable person—given such a union as this—say that they remain two essences, each of which performs voluntary acts in which the other does not share? Nevertheless, [the Christians] say, despite their claim of such a union—that the one who prayed, fasted, made supplication, learned, suffered, and was beaten and crucified was the counterpart of the body, while the one who commands and prohibits, creates and sustains was the counterpart of the soul. . . ."⁸⁶

In response to this last argument, one might first point out that not all Christians would agree with the statement that it was only Christ's humanity that prayed, fasted, suffered, etc., while only his divinity commanded, prohibited, and so forth. In fact, the suffering of the Divine in the person of Christ was explicitly affirmed by theologians such as Cyril of Alexandria (d. 444 C.E.), who taught that "all the actions predicated of Jesus (e.g., of human birth, growth in wisdom, suffering and death) were predicated of the divine logos as well."⁸⁷ It is also important to bear in mind that when speaking of divine mysteries, even the best of analogies will break down sooner or later; the failure of the analogy does not therefore necessitate the absurdity or impossibility of the phenomenon which it is intended to illustrate or explicate—in this case, the possibility of an eternal, immutable Being uniting with an entity which is time-bound and subject to change.

Another aspect of the Trinity to which Ibn Taymiyyah devotes a great deal of energy is the Christian claim, as stated in the Nicene Creed, that Christ was "begotten not made" (*mawlūd ghayru makhlūq*). Ibn Taymiyyah insists that for a process to be called "birth" (*wilādah, tawallud*), it must: (1) involve two sources, (2) entail a separation of some part of these two

⁸⁴ *Ibid.*, II: pp. 102-3.

⁸⁵ *Ibid.*, III: p. 105.

⁸⁶ *Ibid.*, III: p. 106.

⁸⁷ Wilkin, *op. cit.*, p. 373.

sources, and (3) occur in time.⁸⁸ As an illustration of "birth" or "generation," he cites the example of fire generated by two flints which give off a spark. However, he says, the permanent attributes of something—be it created or untreated—can never be said to be "born" or generated. One could not say, for example, that "the color of the sky . . . is generated from it, nor the power and light of the sun which inhere in it. . . ." ⁸⁹ Rather, he says, we speak of "birth" regarding:

something which inheres in something else, or of that which comes to be in time after it was not, such as the rays found in the earth or on the walls, which inhere not in these, but in [the sun], and are generated from two sources, not one. . . .⁹⁰

What Ibn Taymiyyah means by the second "source," then, is simply the locus in which something like the rays of sunlight come to rest after proceeding from the sun. Based on this understanding of what "begetting" entails, Ibn Taymiyyah states that if, as the Christians claim, the divine Word is co-eternal with God, then it cannot also be said to have been "begotten," since begetting is by definition something which occurs in time, and cannot be predicated of an eternal being. Therefore, Christians are correct in not claiming that the Holy Spirit is likewise begotten; however, in Ibn Taymiyyah's view this is simply another inconsistency on their part, for if they claim that one of God's eternal attributes (the Word) is His "son," then they should, for the sake of consistency, claim the same for all of them.⁹¹

Based on the assumption that birth necessitates the separation of some part of the "parent," Ibn Taymiyyah appeals to the Qur'anic description of God as *al-Samad*, one meaning of which is the Being "from whom nothing proceeds."⁹² However, as we have seen, he does not consider this statement to apply to God's speech, which is said to "proceed" from God yet without being separated from Him in any way. Moreover, assuming that birth requires two sources, Ibn Taymiyyah appeals to the Qur'anic verses which vigorously deny that God could have a son because He has no consort, or "companion." Thus we read: "How could He have a son when He has not had a companion. . . ?"

What one comes up against in responding to such arguments is, as has been noted, the inherent inadequacy of analogies drawn from earthly experience in our attempts to speak of heavenly realities, and the ease with

⁸⁸ *Al-Jawāb* II: p. 170.

⁸⁹ *Ibid.*, III: p. 171.

⁹⁰ *Ibid.*, III: p. 172; cf. III: p. 176.

⁹¹ *Ibid.*, III: p. 172; cf. *Al-Ikhlāṣ*, pp. 45-6.

⁹² *Al-Ikhlāṣ*, p. 19.

which, in our zeal to avoid anthropomorphism, we fall into the equally serious error of denying "that with which God has described Himself." In setting forth his basic approach, Ibn Taymiyyah states his commitment to describing God "as He has described Himself in His [revealed] books and as His messengers have described Him, without distorting the intent of their words, denying God's attributes, demanding an explanation of how these matters are as they are, or likening God to His creatures."⁹³ He roundly condemns those Muslims who, in their determination to avoid the dangers of anthropomorphic thinking about God, reject the straightforward meaning of Qur'anic statements such as that God "sat down upon the throne," or that God created Adam with His "hands." To this end they resort to allegorical interpretations of their own. By doing so, however, they are actually engaging in a kind of covert anthropomorphism, since such allegorical interpretation rests on the assumption that God's "hand" or "sitting" must necessarily mean what it would to us based on our human, earthly experience.⁹⁴

Now, if the same reasoning were applied to the Christian scriptures when they speak of God's "only begotten Son,"⁹⁵ we would have to say, with Ibn Taymiyyah, that we are bound to describe God "as He has described Himself" and assume that when the prophets speak of God having a "begotten Son," this must have a meaning which we cannot fully comprehend (and which must not be assumed to correspond exactly to what earthly experience would tell us about "begetting"), in which case we refrain from interpretation and leave its meaning to God. Ibn Taymiyyah is adamant in his insistence that it is not permissible to employ terminology foreign to that of the prophets, or to force the prophets' language into conformity with ours.⁹⁶ However, if we adopt this criterion laid down by Ibn Taymiyyah for arriving at theological truth, i.e., that of describing God only "as He has described Himself in His [revealed] books," and attempt to apply it equally to both Muslim and Christian scriptures, we are reminded once again of the inescapable fact that, alas, the two Holy Books with which we are dealing do not describe God in ways fully consistent with one another. But more about this conundrum later.

Meanwhile, in the realm of conceptually based arguments which nevertheless also involve some appeal to Muslim and/or Christian scriptures, we find a group of objections which one might term Ibn Taymiyyah's "more fitting" arguments. In one of these he contends that, given the frequency

⁹³ *Al-Jawāb* III: p. 132.

⁹⁴ See Majmu' Fatawā Shaykh al-Islām Aḥmad ibn Taymiyyah, ed. *ʿAbd al-Raḥmān ibn Muḥammad ibn Qāsim* (Ribāṭ: al-Maktab al-Thaʿlabī al-Saʿūdī bi'l-Maghrib, 1964), Vol. III, pp. 165-9, 178, 185, and 188-91.

⁹⁵ John 1:14; 3:16.

⁹⁶ *Al-Jawāb* III: p. 179.

with which God has employed angels in bringing revelation to His prophets, it must be "more fitting" for divine revelation to appear in spiritual form (*fi'l-lāḥiyy*) than in bodily form (*fi'l-kathīf*). Moreover, "if it were possible for the Lord—praised be He to indwell and be united with some other living being, it would be more fitting for Him to indwell or be united with an angel than a human being."⁹⁷ However, one might ask: Does it necessarily follow that since God has done such-and-such on a number of occasions, that it is "more fitting" that He do the same on all subsequent occasions? Is it not equally plausible to suppose that by appearing in the form of a mere human God "chose what is foolish in the world to shame the wise . . . what is weak in the world to shame the strong . . . so that no human being might boast in the presence of God"?⁹⁸ In a similar vein, Ibn Taymiyyah states that "if it was possible for God to unite himself with a human being, then His uniting Himself with an angel would have been more proper and fitting. Hence, it would have been better for Him to be incarnated in Gabriel whom He sent to the prophets than to be incarnate in a human being who speaks to the Jews and to the Christian masses."⁹⁹ Given the fact that God once commanded a host of angels to bow down before Adam,¹⁰⁰ it strikes one as odd that Ibn Taymiyyah assumes without question that angels are superior to human beings and therefore, fitter vessels for potential divine indwelling. Besides, even if it were somehow possible to demonstrate who is superior to whom, would it thereby become any human being's prerogative to set himself up as judge of what God should or should not have done?

The final argument to be examined against the doctrine of the Incarnation runs as follows: We know, says Ibn Taymiyyah, that Christ had an ordinary human body. Given this fact, then the Divine could just as easily have been incarnated in Moses, or any other prophet for that matter. The mere fact that no other prophet has claimed to be the incarnation of God does not constitute proof that no other prophet was in fact such an incarnation, since "non-existence of knowledge is not knowledge of non-existence" (*adam al-ʿilmi laysa ʿilman bi'l-ʿadam*). After all, Christians believe God to have been incarnate in Christ for 30 years without manifesting outwardly anything but his humanity. Therefore, He could surely have done the same with other prophets of whom we know nothing. And whoever accepts Christians' claim that God was incarnate in Christ must admit this possibility as well. Moreover, if one holds that it would have been

⁹⁷ *Ibid.*, II: pp. 169-170.

⁹⁸ I Corinthians 1:27-29.

⁹⁹ *Al-Jawāb* II: p. 172.

¹⁰⁰ Sūrah II, 34.

possible for God to be united with any material body whatsoever, then we have no right to condemn the Israelites who worshipped the golden calf, or any idol-worshippers for that matter. However, the prophet Moses did condemn them. Therefore, Christians' claim concerning Christ's divinity must be false.¹⁰¹

In response to this argument, a number of points may be made. First of all, assuming that Christ did indeed possess a physical body about which there was nothing unusual, does it follow necessarily that God could just as easily have been incarnated in anyone or anything else? The answer to such a question would seem to depend on what we mean when we speak of the Divine—and specifically, the Divine as depicted in the Jewish scriptures—becoming incarnate. That is, was it simply a matter of taking on a body, or did it involve the manifestation of particular qualities which had long been associated with God's self-revelation, and which go far beyond mere physicality? The answer is indubitably the latter. The "signs" of Christ's divinity included his power to heal the sick, raise the dead, cast out evil spirits, and to overcome death through resurrection.¹⁰² Hence, even if God "could have" manifested Himself in a body other than that of Christ, it does not follow that we have any reason to believe that He did.

As for Ibn Taymiyyah's suggestion that God might have chosen to become incarnate in some prophet other than Christ without "announcing" it, is it reasonable to suppose that God would have gone to all the trouble to unite Himself with a lowly human being unless there were some reason for us to know about it? The notion that there was indeed good reason for such an event not to be kept a secret forms the basis for Christian missionary activity from its very inception. As the Apostle Paul writes, "how are men to call upon him in whom they have not believed? And how are they to believe in him of whom they have never heard?"¹⁰³ And although Christ did not manifest signs of his divinity during the first 30 years of his brief life, the fact remains that he did manifest such signs eventually. Hence, this is not a convincing argument for the view that God might have been incarnated "anonymously" in innumerable earthlings without any attempt to let this be known to us. And since there is virtually no commensurability between the belief that God was incarnate in a prophet the likes of Jesus Christ on one hand, and the worship of inanimate objects on the other, Moses' condemnation of the Israelites for their idolatry remains valid, yet without thereby undermining the validity of Christian claims of Christ's divinity.

¹⁰¹ *Al-Jawāb* III: 165-6.

¹⁰² See Matthew 8:13, 29; John 11:43-44; Matthew 28:6; and John 20:30.

¹⁰³ Romans 10:14.

III. Conclusion

It is evident from this work of Ibn Taymiyyah that he is conversant with the Old and New Testaments, as well as with Christian doctrinal statements such as the Nicene Creed. As has been noted, there are points at which he appears to be misrepresenting Christian beliefs. However, given the doctrinal ferment and controversy which the Eastern church had witnessed throughout the centuries of its history prior to Ibn Taymiyyah's time, even some "Christian" formulations of Christian doctrine might be rightly deemed misrepresentative of actual Biblical teaching. Hence, throughout the work as a whole, it is apparent that Ibn Taymiyyah is attempting to present Christian doctrines in an accurate and straightforward manner, while any distortions which do appear are more likely due to distortions in Christians' own formulations of doctrine than to any deliberate attempt on his part at misrepresentation. Moreover, it is noteworthy that while Ibn Taymiyyah denounces Christians whom he charges with having "changed the religion of Christ," e.g., through the introduction of practices like monasticism which the Gospel does not mandate,¹⁰⁴ he does not, however, accuse them of changing their scriptures. Hence, unlike a number of other Muslim apologists, he appears to share with Christians the assumption that their holy book is basically intact. Moreover, we have noted his clearly stated assumptions that: (1) no genuine prophetic saying will ever conflict with sound human reason, or vice-versa; (2) we have been given the capacity to understand the revelation given to us (although he does acknowledge that there are verses the interpretation of which we must simply leave to God);¹⁰⁵ and (3) the true meaning of any revealed speech can be determined only by interpreting it in light of previous revelation.

In the above assumptions, Ibn Taymiyyah remains on common ground with the majority of Christian thinkers (granting differences of viewpoint over the exact role played by "reason" in confirming one's belief). However, as a Muslim apologist, Ibn Taymiyyah also holds to the premise that wherever the witness of the Qur'an or Prophetic traditions comes into conflict with that of the Old or New Testament, the former is to be given clear priority over the latter. Here, of course, Ibn Taymiyyah parts ways with his Christian counterparts. This presupposition, however, though it is to be expected from a convinced Muslim believer, stands in conflict with another of his stated assumptions, i.e., that the words of any prophet are to be interpreted solely on the basis of the words of former messen-

¹⁰⁴ *Al-Jawāb* I: pp. 268-73.

¹⁰⁵ *Ibid.*, III: p. 160.

gers of God—an exegetical principle the violation of which he repeatedly charges Christians in the interpretation of their own scriptures. Hence, the question arises: which is to be the touchstone of theological truth—the earlier or the later revelation?

When Ibn Taymiyyah insists on interpreting Matthew 28:19, for example, strictly in terms of Old Testament prophets' usages of appellations such as "son" of God, Holy Spirit, etc. is he not overlooking the Muslim belief that one revelation can supersede and abrogate another?¹⁰⁶ The possibility of abrogation, while consonant with the insistence that the Islamic revelation is to be given priority over previous revelations whenever there is a conflict among them, simultaneously precludes the claim that each new genuine prophetic message must have a meaning absolutely consistent with previous prophetic words. This being the case, why must the meaning of Christian revelation be perfectly and completely contained within that of the Old Testament scriptures? That is, could not God go beyond what He had said before in unexpected ways?

It appears, then, that there is some degree of inconsistency both in the criteria which Ibn Taymiyyah espouses for determining theological truth, and in his application of these to Islam and Christianity. It is indeed difficult, if one values certainty and consistency on one hand, and religious tolerance on the other, to live with the tension which results from holding simultaneously that one's own beliefs as a Muslim or as a Christian are "true," and that they stand in conflict with the holy writ accepted and venerated by adherents of the other faith. As has been noted, Ibn Taymiyyah does not resort to the easy out of accusing Christians of changing the words of their scriptures, and for this he is to be commended. As a result, however, he—and we—are bound to live with the above-named tension and not seek too facilely to explain it away. The inevitable conclusion seems to be that given the presupposition that Islam is "true" in an objective, historical sense, one will not—indeed cannot—accept Christianity as likewise and equally "true," and vice-versa. What is one to say then? Perhaps simply that: "With Him [alone] is the knowledge of the secrets of the heavens and the earth . . ."¹⁰⁷ We would likewise do well to remember God's declaration, conveyed through the prophet Isaiah, that:

[M]y thoughts are not your thoughts, neither are your ways my ways, says the Lord. For as the heavens are higher than the earth, So are

¹⁰⁶ Cf. *Ibid.*, I: p. 280.

¹⁰⁷ Sūrah XVIII, 26.

my ways higher than your ways, And my thoughts than your
thoughts.¹⁰⁸

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¹⁰⁸ Isaiah 55:9.

REVIEW ARTICLE

INTELLECTUAL ORIGINS OF ISLAMIC
RESURGENCE IN THE MODERN ARAB WORLD.

BY IBRAHIM M. ABU-RABI'. ALBANY, NY: SUNY PRESS, 1996.
XII + 370PP. WITH NOTES AND BIBLIOGRAPHY. \$19.95 PAPER.

In an age when scholarship is frequently disfigured by rampant behavioralism, quantification, narrow professional specialization, and an obsession with such ideological issues as gender, intellectual history has fallen upon hard times. Intellectual historians of high quality have been few, and only a handful have produced work of excellence which has incorporated more than one cultural tradition. Perhaps rarer still have been those historians of ideas who have not only acquired the linguistic and epistemological tools to produce comparative intellectual history of the highest caliber, but who have themselves been individuals of religious faith. In his path-breaking *Intellectual Origins of Islamic Resurgence in the Modern Arab World*, Ibrahim Abu-Rabi' has proven himself a worthy member of this last, very select company.

The book under review is a work which many have awaited since the publication more than three decades ago of Albert Hourani's *Arabic Thought in the Liberal Age*. Abu-Rabi's study may prove the long-lacking supplement to Hourani's seminal volume, according as it does to Islam an important role in the shaping of the Arab world.¹ Separated as they are in time but read together, the books by Hourani and Abu-Rabi' illuminate most of the important issues debated by Arab thinkers over the course of the past two centuries.

In preparation for many years, Abu-Rabi's study was originally conceived as an analysis of the political philosophy of the Egyptian Islamist Sayyid Qutb. The portion of his book devoted to Qutb remains its most detailed and important section. From the original focus on Qutb and Egypt, Abu-Rabi' moves forward and backward in time to explicate the various stages of the Islamic revival during the 19th and 20th centuries, and the Islamic movement's relationship to competing schools of thought primarily in the Arab Mashreq. Throughout, the author has much to say con-

¹ For Hourani's own recognition late in life of the importance of the Islamic factor in modern Arab history, see his observations in "How Should We Write the History of the Modern Middle East?", *International Journal of Middle East Studies*, Vol. 23, No. 2, May 1991, pp. 128-9, 134.

cerning the Western discourse to which Islamist thought has been largely a response, and uses to a good effect the work of individuals as varied as Peter Berger, S. N. Eisenstadt, Felix Gilbert, Alexandre Kojève, Karl Mannheim, Edward Shils, Karl Popper, and Leo Strauss. Abu-Rabi's discussion of the consanguinity between Western Orientalism and Arab modernism constitutes a particularly illuminating portion of his book. Otherwise, this volume gives special attention to such problematical topics as the nature and significance of secular modernity, the impact of rationalism upon tradition, language as related to societal change, and Hegelianism as a conduit to the return of God. Other than Sayyid Qutb, the religiously oriented intelligentsia to whom Abu-Rabi gives pride of place are Ḥassān al-Bannā, founder of Egypt's Muslim Brotherhood, and Muḥammad Hussein Faḍlallah, the contemporary Shī'i *ʿālim* and Lebanese revolutionary theoretician. Although at least implicitly supportive of a number of their larger objectives, Abu-Rabi offers tough-minded criticism of Qutb's work and provides ample space for the secularist rejoinders of such Muslim opponents of Islamism as the late Faraj Fūda, Fu'ād Zakariyya, and Zakī Najīb Maḥmūd. This book should be considered required reading by anyone interested either in the history of ideas in modern times, or the etiology and current status of debate among Muslim intellectuals concerning public policy issues in the Arab world.

Professor of Islamic Studies at Hartford Seminary, Co-Director of the Luce Forum in Abrahamic Religions, and Editor of this journal, Ibrahim Abu-Rabi believes that contemporary Muslims are "indebted" to the Islamic resurgence which has proven "urgent and necessary" given the "sterility of the intellectual formulations of the traditional *ʿulamā'* class" and the "debacle of Islamic modernism" (pp. 44-5). Secularization he understands as the "emancipation of the human mind from preordained concepts and epistemes," the devaluation of God, and enthusiastic acceptance of those "constant transformations" which "subvert . . . traditional foundations" and harness human reason to the deconstruction of established institutions (p. 249). Clearly, the author has no great sympathy for the modern project as a whole. Nevertheless, he does believe that the Arab world now has no alternative but to study with great seriousness the congeries of Western ideas which today seem increasingly to shape the thinking of the most remote Third World hamlet. Candidly, Abu-Rabi observes that any viable peace agreement between Israel and the Arab world is likely to pose a "continuous challenge and even threat to . . . the Islamic movements, especially the ones operating in such countries as Lebanon, Jordan and Egypt" (p. 244). At the same time, he urges the West to "come to grips with the inner situation" of Islam, and refrain from designating Islamic resurgence as any sort of "threat to the new world order" (p. 283, f. 66).

Especially in this last regard, Abu-Rabi' warns against the tendency to homogenize and reify Islam. Too often, in his opinion, do Western commentators on "political Islam" denominate Muslim discourse as "essentialist, purist, homogenous, one-dimensional, anti-modernist, and irrationally anti-Western" (p. 2). On this score, the author considers Daniel Pipes to be especially culpable (p. 265, f. 2). But Abu-Rabi' correctly observes that Arab scholarship has also erred in a similar fashion, having accepted the general rubric of "political Islam" and having ignored the complexity of contemporary Islamic movements to focus on this one putative feature (p. 4). Contrary to the view of many analysts both Western and Arab, the author maintains that it is erroneous to assert that Islam is an "unchanging 'religion' and a fixed abstraction against which all modern developments . . . are to be judged" (p. 14). More broadly, he suggests that the category "political Islam" constricts rather than enlarges understanding, and argues that the Islamic reawakening is far more than a "mere political phenomenon" (p. 11). Resurgence "must be treated in philosophical terms," Abu-Rabi' insists, and should be discussed in the larger context of modern Arab intellectual history (p. 11).

To establish this larger framework, the author gives attention to the thought of such catalysts of the Arab cultural and political revival (*nahḍah*) as Rifā'ah al-Taḥṭāwī, Jamāl al-Dīn al-Afghānī and Muḥammad Abduh, and highlights such continuing subjects of debate as the impact of colonialism, the meaning of the encounter with the West, and the role and function of the *ʿulamāʾ*. In Abu-Rabi's opinion, the concepts of *nahḍah*, *thawrah* (revolution) and *ʿawdah* (the return to fundamentals) aptly summarize the movement of ideas in the Arab Muslim world during the past century and a half.

In a much clearer fashion than has been done by others, Abu-Rabi' demonstrates the many commonalities that link Western Orientalists with secular modernists. Philosophically and politically, Orientalists and Arab modernists have both proven themselves either liberals (in the contemporary collectivist sense) or radicals. Whether in the West or in the Middle East, Orientalists and Arab Leftists have each accepted the legitimacy or necessity of the modern project, the author suggests, and have extolled both secularism and rationalism. For Orientalists and Arab modernists both, the "Arab mind" has seemed a major obstacle to progress and enlightenment. Tradition has been their common enemy, and thorough Westernization their shared objective. Orientalists and Arab modernists have each demonstrated enormous arrogance in their antipathy to traditional culture, some having gone so far, Abu-Rabi' points out, as to attack Arabic itself as an impediment to radical social change. In all of this, there is the enormous irony that some of the most vociferous Arab modernist critics of Western Orientalism themselves manifest precisely the same ideologi-

cal presuppositions and cultural preferences as do those whose scholarship they so vehemently denounce.²

In Abu-Rabi's opinion, such Orientalist luminaries as Sir Hamilton Gibb and Gustave von Grunebaum agreed that only by transcending all "ancient categories of thinking" might Muslims begin meaningfully to participate in modernity. What was required, they argued, was that Muslims adopt a "reformist program that subscribes to the relativist demands of modern life and [makes] concessions to science" (p. 14).³ For Gibb especially, the "Arab mind" constituted an obstacle both to "Western notions of progress" and to "rationalist modes of Western thought" (p. 13). Abu-Rabi maintains that for Gibb, "cultural Westernization" was the "only viable. . . system" capable of "giving a sense of direction and meaning to. . . the Muslim world" (p. 15). Were Westernization to proceed, both Gibb and von Grunebaum had no doubt that Arab and Islamic tradition had to be undermined or surmounted. To that end, they and other Western Orientalists have viewed the imposition of Western education as essential if a "new type of secular [Arab] intelligentsia" were to be created (p. 13). This cultural arrogance which the author suggests went so far as to insist that the "Arab and Muslim mind" should "emancipate itself from the categories of the Qur'anic revelation" is simply stunning (p. 14).

Contemporary Arab modernists and Western Orientalists remain in strong agreement on these matters. For such thinkers as Abdullah Laroui, Moḥammad 'Ābid al-Jābirī, and Moḥammad Aziz Lahbabi, secular rationalism especially of the French deconstructionist sort has been the weapon of choice to attack tradition, religion (especially Sufism) and even language itself. Farther to the Left than their Western Orientalist compatriots, few of the Arab modernists would strongly dissent from Abdullah Laroui's indictment of tradition as the bulwark of religion, or his enthusiastic acceptance of Marxism as the "only viable alternative to. . . [Islamic] traditionalism" (p. 26). As Abu-Rabi notes, the truth is that Laroui and other radical Leftists tend to dismiss the "entire theological and philosophical heritage of Islam as obsolete" in a fashion even more categorical than do many Western Orientalists (p. 25). They too share the Orientalist predilection to see Islam as homogeneous, frozen, and unalterable, and subscribe to the notion of an "Arab mind" which is both retrograde and irrational. In particular, Abu-Rabi points out that both Laroui and al-Jābirī believe that the Arabic language is a primary impediment to opening of the "Arab mind" to the rationalism required by modernity. For al-

² Here, the reviewer has in mind especially such individuals as Edward Sa'īd and Ḥalīm Barakat.

³ In this regard, Abu-Rabi dissents specifically from Edward Sa'īd's argument in *Orientalism* that Gibb preferred the *ulama'* to the modernists.

Jābirī, Arabic is an anachronism which has been "mummified" and is now characterized by "elaborate mechanics and linguistic distinctions" unable to absorb or express modern categories of thought (p. 29). For al-Jābirī, tradition is preserved and succored by a language that is "ahistorical and unimaginative" (p. 29). The great need, he and other radical Arab modernists believe, is to overturn Arabic precisely *because* it is the bearer of a "rich intellectual and literary tradition" rooted in the golden age of Islam (p. 29).

In recent years there has been a burgeoning of interest in Hegel among students of the Islamic revival. This interest is well-founded, and reflects a recognition of the kinship between Hegelian political philosophy and that of many Islamists. Hegel's conviction that religion and the state are in their "real essence" identical, that there is only "one conception of freedom in religion and the state," and that a nation possessing a "false or bad conception of God has also a bad state, bad government, and bad laws,"⁴ is resonantly congruent with Islamic political theory. The same is true of religious belief. "If [faith] be wholly opposed to knowledge," Hegel wrote, "we get an empty antithesis. What I believe, I also know. . . . Faith is a form of knowledge."⁵ Abu-Rabi' does well to point out that Hegel was especially important to the thought of Sayyid Quṭb who "follows the Hegelian notion of [an] insoluble: bond between religion and theocratic state" (p. 155). One may hope that the author's own work and that of such other scholars such as Louis J. Cantori will continue to elucidate this important relationship.

In discussing the thought of Ḥassān al-Bannā, Abu-Rabi' places special emphasis on the degree to which al-Bannā embraced a religious traditionalism which he consciously employed as a shield against a Western materialism which he concluded had "rendered Western spirituality sterile" (p. 81). Al-Bannā believed that not only had Western spirituality atrophied but that the religiosity of the Muslim *ʿulamāʾ* had similarly decayed. The *ʿulamāʾ*, he argued, had in fact allied themselves with imperialism and had embraced many of the Occidental mores on which imperialism was based. Abu-Rabi' notes that al-Bannā was convinced that alliance of the *ʿulamāʾ* with the colonialists reflected selection by the *ʿulamāʾ* of "selfish interests and worldly ambitions over the welfare of [the] nation" (p. 75). As the author observes, al-Azhar became a particular target of al-Bannā, and was an institution whose leadership and activities he rejected throughout his career.

⁴ See Hegel, *Lectures on the Philosophy of Religion* (London: Kegan Paul, 1895), V. 1, pp. 246-7).

⁵ *Ibid.*, Vol. 1, p. 117.

Especially interesting is Abu-Rabi'ʿs discussion of the effort which al-Bannā exerted to create a newly sacred political space within the precincts of the mosque. What al-Bannā endeavored to do, the author maintains, was to transform the mosque from a "static place of worship to . . . a place of Islamic revolution and radical renewal" (p. 77). For al-Bannā, mosques were to be the abodes of a "newly-found religiosity" resistant and wholly opposed to the secularism fostered by the powers outside (p. 77). Once transformed, al-Bannā believed that mosques would serve as "popular universities" and would prepare the masses for revolution on both the personal and national levels (pp. 77, 78). Certainly, al-Bannā's campaign achieved considerable success during his lifetime, and has been continued with varied results by Islamists both in Egypt and elsewhere during the past two decades.

Perhaps the greatest scholarly contribution in what Abu-Rabi' has to say about al-Bannā is the emphasis he places on what he argues was al-Bannā's lifelong commitment to Sufism. For the author, al-Bannā's early mystical training "molded his entire personality" and was the "single most important factor in [his] establishing an active religious and social organization with a clear . . . political mission" (p. 67). For al-Bannā, Sufism was a "historical necessity," mysticism being the very kernel of Islam (p. 68). The author notes that al-Bannā never conceived of his mission as only that of a social reformer, and describes the Ikhwān not as a benevolent organization or a political party but as a "new spirit making its way into the heart of this nation" (p. 68). Throughout his years as the leader of the Ikhwān, al-Bannā imposed upon it "all that he [had] acquired from his early Sufi training—in terms of self-discipline, obedience to the leader or shayk, and fulfillment of the ethical rules and standards of Islam" (p. 69). In emphasizing that al-Bannā was a Sufi and remained a Sufi, Abu-Rabi' corrects the scholarship of such individuals as Muḥammad Bayyumi and Christiana Harris, and places in stark relief the fact that the Ikhwān's later repudiation of Sufism constituted a salient departure from the convictions of its founder.

The author's analysis of Sayyid Quṭb's thought is highly instructive, demonstrating as it does that Quṭb held quite different opinions at different stages of his career. The protean nature of Quṭb's political philosophy has elsewhere not been given the attention it deserves, and all students of the Islamic revival will benefit from a careful reading of Abu-Rabi'ʿs subtle discussion of this subject. The author suggests that Quṭb was quintessentially a child of his times, and had no hesitancy in altering earlier convictions as circumstances changed. Abu-Rabi' identifies the Egyptian revolution of 1952 as constituting the great watershed in Quṭb's life, separating an earlier, remarkably "liberal" Quṭb from the hard ideologue of Islamic revolution which Quṭb became during the later 1950s and 1960s.

Specifically, Abu-Rabi' maintains that Quṭb's later thought must be understood in the context of "Nasserism in particular, and the challenges posed by Arab nationalism and socialism in general" (p. 165), as well as in the context of Quṭb's lengthy and painful prison experience.

During the decade from the late 1930s to the late 1940s, Quṭb's work sounded themes familiar from much of modernist and Orientalist discourse. He spoke in terms of a "European mind" distinctly different from an "Egyptian mind," and endorsed the progressive ideas expressed by Ṭāha Ḥussain in his influential book, *The Future of Culture in Egypt* (pp. 100-1). In *Child from the Village*, Quṭb advocated modern (European) education for elementary school students, Abu-Rabi' notes, and recommended the teaching of both sexes in the same classroom. In his slashing attacks on the Arabic language, the young Quṭb echoed secular liberalism's major preoccupations. Abu-Rabi' emphasizes that Quṭb was convinced that Arabic had frozen into a rigidity which precluded it from coping with the "changes and demands of the modern age" (p. 96). And he points out that Quṭb went further: "We should not be hesitant to proclaim that this language (Arabic) is not our native tongue," Quṭb wrote, "but that of another nation (the Arab nation) that differs from our own in its mores, traditions, thoughts, environment, and political and economic conditions . . ." (p. 96). In a word, the author makes clear that the liberal Quṭb emphasized his preference for Egyptianism as a locus of psychological orientation over both Arabism and Islam. Here, too, Sayyid Quṭb manifestly gave voice to one of the major preoccupations of both Orientalists and modernists, whether writing in the West or in the Middle East.

Even before the Egyptian Revolution of 1952, Abu-Rabi' emphasizes that Quṭb was turning from literary and cultural issues to social problems and especially to the plight of the poor. *Social Justice in Islam*, published in 1949, marked the beginning of a "deep shift in Quṭb's thought—thought that began by glorifying the present and was later transformed to thought which glorifies the past by seeking to establish an organic link with it" (p. 110). Tradition now replaced modernity as an ideal, and the Qur'ān was adduced for the first time as the source of all wisdom. Abu-Rabi' discusses in detail Quṭb's six-volume commentary on the Qur'ān (*Fi Zilāl al-Qur'ān*), selections from which were published in English in 1989 under the title *Milestones*. In the *Zilāl*, Quṭb vigorously denounced Orientalism (while curiously retaining the Orientalist notion of a homogenous "Islam" opposed to the "West"), identified Jews, Christians and Westerners in general as inveterate enemies of Muslims, and condemned modern Egypt as hopelessly sunk in the apostasy of *jāhiliyyah* (pp. 180, 202, 207). Abu-Rabi' notes that Quṭb had little use either for the contemporary *ulamā'* or for the modern nation-state. Most of this is of course reasonably well known, but Abu-Rabi' sets it forth with unusual clarity.

Fully as hostile to the *ʿulamāʾ* and to Western colonialism as was the later Quṭb, Muḥammad Ḥusayn Faḍlallah, Abu-Rabiʿ argues, is now the "foremost liberation theologian in contemporary Arab Islam" (p. 221). The author suggests that Faḍlallah goes so far as to exalt the relationship that he perceives between Islam and violence, a relationship which Faḍlallah understands to constitute the "heart of the Islamic religious quest" (p. 236). For Faḍlallah, revolution and martyrdom are each a "constant necessity" (p. 241). However, Abu-Rabiʿ emphasizes that Faḍlallah disagrees with Quṭb by insisting that a Muslim "cannot wait to apply Islam to his individual and collective life until the establishment of an Islamic state" (p. 226). Unlike Quṭb, Faḍlallah argues that the existence of an Islamic political system is not a requirement for the application of Islamic principles to society. Abu-Rabiʿ suggests that a primary reason for the divergence in thought of these two prominent Islamists is that Quṭb was confronted by a strong Egyptian nation-state, while Faḍlallah's ideas evolved in the context of a collapsing Lebanese state and society.

Perhaps of special interest given the increasingly serious attention accorded in recent years by many Islamists to the merits of a price system and private property⁶ is the categorical rejection of "capitalism" by both Quṭb and Faḍlallah. Quṭb succinctly stated his opinion on capitalism in his book entitled *The Battle between Islam and Capitalism*. Permeated by Marxist categories and profoundly shaped by his perception of a link between Western imperialism and the Egyptian ruling elite, Quṭb advocated a *guerre à outrance* against what he regarded as an alien economic system which served only to impoverish the masses and consolidate colonial rule. Today, Muḥammad Faḍlallah continues to equate capitalism with imperialism, Abu-Rabiʿ notes, and articulates an almost Trotskyite endorsement of permanent and all-encompassing revolution. Faḍlallah believes that the "rich have used power . . . to exploit and oppress the poor," the author observes, and points out that Faḍlallah sees history as a perpetual struggle between the powerful and the dispossessed (pp. 232-4).⁷

⁶ In this regard see the important article by Bjorn Olav Utvik, "Filling the Vacant Throne of Nasser: The Economic Discourse of Egypt's Islamist Opposition," *Arab Studies Quarterly*, Vol. 17, No. 4, Fall 1995, pp. 29-54.

⁷ It is curious that both Quṭb and Faḍlallah express great admiration for Abu-Dharr al-Ghifari, one of the companions of the Prophet, who entertained ideas on race and political economy with which neither the Prophet nor the other Companions agreed. For example, when Abu-Dharr denounced a man by calling him the "son of a Negress," the Prophet chastised him: "Abu-Dharr! Thou findest fault with him on account of his mother; surely thou art a man in whom there is *jāhiliyyah*" (Bukhārī 2:22). Concerning prophets and wealth, Abu-Dharr was a radical egalitarian, arguing that as soon as any Muslim accumulated any excess income or capital he was morally obliged to give it away to the poor. Neither the Prophet nor any of the other Companions agreed with such socialist egalitarianism. In fact, radical egalitarianism of this sort is demonstrably in opposition to both the Qurʾān and the Sunna. Nevertheless, to both Quṭb and Faḍlallah, Abu-Dharr has exemplified, as Abu-Rabiʿ observes, the "true spirit of Islam" (p. 116). The author notes that Quṭb and Faḍlallah have extolled Abu-Dharr for standing

One perhaps may take comfort in the fact that the analyses of Quṭb and Faḍlallah are increasingly being challenged by such contemporary Islamists as Kurshīd Aḥmad, Abd al-Ḥamīd al-Ghazālī, Yūsuf Kamāl and Ḥusayn Shahhata, each of whom manifests a far more sophisticated understanding of the nature of a market system than have either Quṭb or Faḍlallah.

Despite his sympathetic understanding of Sayyid Quṭb's world view, Abu-Rabi' argues that Quṭb committed "grandiose errors" especially in *Milestones*, perhaps his most widely influential book (p. 211). The author discusses the criticisms of Quṭb's work by individuals as diverse as Emmanuel Sivan, Ḥasan al-Hudaybi, Muḥammad Diyab, and Kenneth Cragg, and notes that all of them considered Quṭb's thought to be "unoriginal," inconsistent with the Qur'ān and Sunna, exclusionist and extremist (pp. 209, 211). In particular, Abu-Rabi' details the "thorough" and "systematic" critique of Quṭb's political philosophy by Ṣalāḥ al-Dīn al-Jourshī. Among other failings, Abu-Rabi' notes that al-Jourshī believed that Quṭb's work was scarred by "deviant emotionalism" and "eccentricity," reflecting a sort of "ghetto" thinking amounting largely to a series of "severe protesting cries" (p. 211). The author observes that al-Jourshī maintained that Quṭb erred spectacularly in indicting all of contemporary Muslim society as *jāhili*. To state, as Daniel Pipes has, that Abu-Rabi' serves as Sayyid Quṭb's "apostle to an English-speaking audience," and that his treatment of Quṭb "meld[s] author and subject into a nearly seamless whole," is wildly irresponsible.⁸

Abu-Rabi' emphasizes that the thought of Faraj Fūda, assassinated by Egyptian terrorists in 1992, represents "perhaps the clearest example of mature secularist criticism of the religious problematic in the modern Arab world" (p. 255). Like al-Jourshī, Fūda categorically rejected Quṭb's notion of any pervasive *jāhiliyya* and urged that attention be given to exigent problems of democracy, human rights and the status of minorities in the Muslim world. Abu-Rabi' observes that Fūda believed that Islamists had compiled a "dismal record *vis-à-vis* all the mentioned issues," and "mock[ed]

alone against "oppression and injustice," and for being a "steadfast model" whom pious Muslims of all centuries would do well to emulate (pp. 116, 246). Given the rejection of Abu-Dharr's ideas by the Prophet and Companions alike, such latter-day attempts at his sanctification would seem to constitute particularly good examples of the adulteration of both history and religion to serve contemporary political purposes.

⁸ See *Middle East Quarterly*, Vol. III, No. 1, March 1996, pp 82-83. In fact, the review by Pipes is the single most prejudiced commentary which this reviewer has ever encountered in a supposedly scholarly journal. Pipes accuses Abu-Rabi' of "apologiz[ing] for killers," and expresses "surprise" that SUNY Press should print such "propagandistic rubbish." What may be most distressing in this incident is that Pipes apparently did not read Abu-Rabi's book with any attention. For example, he accuses the author of extolling Quṭb's "grandiose exegesis," evidently having transformed Abu-Rabi's reference to Quṭb's "grandiose errors" (p. 211) into "grandiose exegesis." This whole incident constitutes a sorry and most depressing tale.

the naive belief—that has become a central propaganda piece in the hands of the Islamists—that an immediate application of the *Shari'ah* would lead to immediate miraculous solutions to the problems of society" (p. 256). In fact, Abu-Rabi' takes pains to point out that Fūda was convinced that "political assassination is a mark of Islamic history, both classical and modern" (p. 256). As the author makes clear, Fūda maintained that "political Islam has been distinguished by the sword," and that "violence" is the "essence of political Islam and . . . contemporary Islamic movements" (p. 257). On all of this, Abu-Rabi' permits Fūda to speak at length:

These people (Islamists) have hated society, and it is society's right to express the same level of hatred toward them. . . . They have accused it of *jāhiliyya* and it is its right to accuse them of extremism and narrowness of mind. . . . These people have done harm to Islam, . . . [and] accused it of extremism and rigidity. . . . They have just reflected their psychological diseases, and it is time that this religion and we, Muslims, reject them forever (p. 257).

If Ibrahim Abu-Rabi' is in fact an apostle of Islamic extremism, as Daniel Pipes suggests, he certainly goes about his task in a most peculiar way.

Fu'ād Zakariyya, Abu-Rabi' observes, has faulted Islamists for remaining "totally oblivious to the historical practice of Islam" (p. 251). For Zakariyya, a clear distinction must be drawn between textual and historical Islam, a distinction that Islamists have failed to make because of their "mental poverty" (p. 252). Abu-Rabi' notes that Zakariyya is convinced that the "monolithic mind of Islamic resurgence" is prone to believe that "doubt" is a mistake, and criticism and questioning are crimes (p. 252). For his part, Najīb Maḥmūd endorses Zakariyya's call for freedom of speech and debate, Abu-Rabi' points out, and has acerbically criticized the focus by Islamists on what Maḥmūd insists are the "frozen and obsolete categories of [our] ancestors" (p. 250). The author has much to say concerning the somewhat more measured assessments of the contemporary Islamic movement by Burhan Ghalyoun and Yūsuf al-Qaraḍāwī. All in all, what Abu-Rabi' has courageously provided is a detailed and nuanced analysis of Muslim criticism of the excesses of political Islam. For that, many will find themselves in his debt.

Although Abu-Rabi' quotes Hichem Djait's observation that the "active segment" of the Arab intelligentsia has long focused on "social justice" at the expense of a "concept similar in beauty and truth, which is liberty" (p. 36), he does little to build on Djait's important insight. This is somewhat puzzling, especially given the proliferation of discussion among Muslim intellectuals during the past decade or two concerning pluralism (*al-ta'addudiyya*), privatization (*khaskhasa*), and democracy and representative government. Sa'd al-Dīn Ibrahim, Fahmi Huwaydi, Zakī Aḥmad, Hibat

Ra'uf Izzat, Muḥammad 'Amara, and Rashīd al-Barawī are only a few of the contemporary Islamic thinkers who have made important contributions to a new and expanding discourse which seeks to explicate the nature of individual liberty and suggest how political power might be both limited and made responsible to those it putatively serves.⁹ Perhaps Abu-Rabi', as well as other talented students of the Islamic revival, will give increased attention to this discourse concerning liberty in their future work. Since this discussion is almost entirely unknown in the West and there are certainly those who wish that it should remain so, objective scholarly attention to it becomes all the more important.

Meanwhile, all those seriously interested in the modern Arab world owe thanks to Professor Abu-Rabi' for this excellent book. It is a work that none can ignore, and one from which many will learn much.

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⁹ For an excellent discussion of this whole issue, see Yvonne Yazbeck Haddad, "Islamists and the Challenge of Pluralism," *Occasional Papers*, Center for Contemporary Arab Studies and Center for Muslim-Christian Understanding, Georgetown University, 1995.

**THE VANGUARD OF THE ISLAMIC REVOLUTION:
THE JAMĀ'AT-I ISLĀMĪ OF PAKISTAN. BY SEYYED
VALI REZA NASR. [COMPARATIVE STUDIES ON
MUSLIM SOCIETIES, NO. 19.] BERKELEY:
UNIVERSITY OF CALIFORNIA PRESS, 1994. XXII
PLUS 301PP. TABLE & FIGURES. INDEX. N.P.**

Since the beginning of the Iranian revolution of 1979 and the emergence of religious revivalism, some scholars and leaders in the West and in the East have argued that religious revivalism is inherently anti-state. In his ground breaking book, *The Vanguard of the Islamic Revolution: The Jamā'at-i Islāmī of Pakistan*, Seyyed Vali Reza Nasr deftly challenges this prevalent assumption, arguing that Islamic revivalism is neither necessarily anti-state, nor is it a late twentieth century phenomenon. Focusing on the case of the Jamā'at-i Islāmī in Pakistan, Nasr presents his arguments in a highly readable, meticulously researched, and richly detailed account of this organization's emergence, role of its leadership (particularly Mawdūdī), its history, and its active involvement in the unfolding drama of the political process and state building in Pakistan. Specifically, it probes how Mawdūdī's vision is articulated and how it has shaped the Jamā'at's political agenda and plan of action, influenced the development of Pakistan, and changed in the face of political imperatives (p. xv). Nasr's most significant accomplishment lies in his dislodging several dominant myths and popular assumptions. Included are the belief of inseparability of religion and politics in Islam, Pakistan's "origin myth" and its ideological *raison d'être*, competition between Muslim League and Jamā'at-i Islāmī, and the personal and political rivalry between Moḥammad 'Alī Jinnāḥ (the founder of Pakistan, 1876-1948) and Abul 'Alā Mawdūdī—the founder of the Jamā'at-i Islāmī, 1903-1979.

The author's narrative intimately engages the reader in the unfolding drama of post-partitioned Pakistan's ever-shifting power structure, alliances, and loyalties. I highlights the ideological, political, and personal contestation and compromise between personalities and parties on the one hand, and demands of the state building and the public's expectations and experiences, on the other.

The Vanguard of the Islamic Revolution developed out of the author's political science doctoral dissertation for Massachusetts Institute of Technology. While conducting his research, Nasr lived in Pakistan (1989-90)

and traveled across the country extensively. He visited the Jamā'at's leaders in their offices, in their work place, and at their homes, interviewing some fifty-three members of the party, besides members of other political and religious organizations. The ethnographic dimension of Nasr's research adds much to the richness of his account and to the elucidation of the dynamics of political Islam, the development of political processes, and the emerging leaders' personal world views and ambitions.

Nasr organizes his book into three parts and eleven chapters, including *Tables and Figures, Notes, Glossary, name of Interviewees, Bibliography and Index*. Chapter one is devoted to the emergence of the Jamā'at-i Islāmī before the creation of Pakistan in 1947. It is set against a multitude of political posturing between the Indian Congress Party and Muslim League, communal tensions between Muslims, Hindus and Sikhs, and personal rivalry between Jinnāh and Mawdūdī—more so on the part of the latter. Mawdūdī's ideological vision of an Islamic state, and his discourse, "although motivated by the Hindu challenge, was directed at the West," for in Mawdūdī's view, to confront the Hindu challenge Muslims had to mobilize their resources to free their souls from Western influence (p. 8). Contrary to the popular assumption, Mawdūdī was not against the formation of the state of Pakistan, but was opposed to its secular political agenda heralded by "Westernized" leaders. From Mawdūdī's perspective, therefore, creation of the state of Pakistan for Indian Muslims was a "divine" chance to implement Islamic *sharī'a* and to create a truly Islamic society modeled after early Islamic community, a "holy community," organized and led by the Prophet (p. 10).

Mawdūdī's formulation of an Islamic society and its place in Muslim life began in 1932. Nasr gives an elaborate account of Mawdūdī's formulation of his religious world view, and of his agenda for translating Islamic ideology and precepts into social action. Mawdūdī was worried that "Islam had no possibility of success as a religion or civilization. . . unless Muslims removed the encumbrance of cultural accretion and tradition, rigorously reconstructed the pristine faith of the Prophet, and gained power. Politics was declared to be an integral and inseparable component of the Islamic faith, and the 'Islamic state' which Muslim political action sought to erect was viewed as the panacea to all problems facing Muslims" (p. 7). Significantly, "Mawdūdī's formulation was by no means rooted in tradition Islam" (p. 7), but influenced by the requirements of the time, and taken from incorporating "modern ideas and values, mechanisms, procedures, and idioms" (p. 8). Challenging a popular understanding of Islamic revivalism, Nasr argues that Mawdūdī's revivalist vision of an Islamic state was not rooted in tradition, or was his stance anti modern. Rather, he was in fact committed to the process of constitution building and democratic processes (pp. 7-8).

Impressed by the way the Prophet Muḥammad organized the Muslim community in Mecca and later on in Medina, Mawdūdī believed that the Prophet's success "could not be explained simply by the power of his message," but rather, "it reflected the Prophet's organizational genius" (p. 9). Mawdūdī decided that this is the model Muslims should emulate, and that the Jamā'at had the divine calling to translate it into reality. "The Jamā'at was, therefore, at its inception a 'holy' community (*ummah*) and a missionary (*da'wah*) movement" (p. 10).

Of notable significance in this chapter is the author's challenge to the presently dominant discourse of the inseparability of church and state in Islam. Situating Mawdūdī's view in an historical perspective, Nasr argues "[t]hroughout the ages, Muslims were even aware that the two were inherently incompatible. . . Muslim theorists from Mawdūdī (d. 1058) to al-Ghazzālī (d. 1111) implicitly sanctioned the separation of religion and politics using the largely symbolic institution of the caliphate. Insisting upon the continuity between religion and politics is, therefore, an innovation of modern Islamic political thought" (pp. 15-16).

Chapter two follows the transformation of Mawdūdī's ideal of a holy community to the political reality of a party. This chapter includes the saga of the party and its struggle to organize itself, mobilize its forces and resources, and to attract many as followers through missionary activities. Mawdūdī's desire to be intimately engaged in political processes inevitably confronted his organization with compromises and concessions with the politically dominant Muslim League, and with other smaller parties, all vying for power, legitimacy, and constituency. His pragmatism, therefore, hastened the party's transformation from a holy community to a political party, contributing to reducing its moral authority.

Part two discusses the structure of the party and its social base, devoting a detailed description to the party's organization, hierarchy and membership, and its affiliate organizations, namely the Jāmi'at Ṭulabah, the student wing of the party. This is one of the most comprehensive studies of the origin and development of the Jāmi'at-i Ṭulabah, and the ambivalent "generational" tension between the Jamā'at and Jāmi'at on the one hand, and the tension between the state and the party on the other. The social base of the party is discussed in chapter four, drawing the profile and boundaries of the Jamā'at's membership base. "The lower-middle-classes—the petite bourgeoisie—have been identified as its social base and as having shaped its political outlook and pattern of social action" (p. 81). Since 1990 the Jamā'at's leadership has attempted to broaden the social bases of the party, and to devise more innovative means for mobilization and its mission. Organizational reform and membership criteria continued to preoccupy the Jamā'at's leadership. It reflected its ongoing struggle with tensions born of applying its ideological perspective to the pursuit of its political

goals. "The outcome of this process and the ultimate shape which the Jamā'at's greater political activism is likely to take have in good part, however, been controlled and conditioned by the party's interactions with other political actors and the various Pakistani regimes" (p. 100).

Part three concludes the book through seven chapters all involving the actual politicking and political relations of the Jamā'at with various other parties, and with the state. In prelude to Pakistan (1941-47), the Jamā'at-Islāmī is involved in agitation for mobilization and political recognition in the newly established State of Pakistan. Nasr brings out the intense competition Mawdūdī felt toward Muḥammad 'Alī Jinnāḥ (Pakistan's eventual founder), and the former's belief in his rightful claim to leadership of Indian Muslims.

Recognizing, however, that his dream of "converting the whole of India to Islam" was not possible, Mawdūdī supported the idea of creating an "Islamic state" in a separate territory (p. 110). From then on the Jamā'at's relations with Jinnāḥ's Muslim League became more complex, marked more by competition than concord: "The Muslim League's actions began directly to influence the Jamā'at's reaction" (p. 111). The closer India moved to Partition the more intensified the competition between Jamā'at and Muslim League became, gradually overshadowing the concord reached between the two parties. "Perturbed by the League's domination of the Pakistan movement, the Jamā'at increasingly focused its energies on undermining Jinnāḥ's position in the movement. The party's attacks became more venomous and direct, transforming the relations between the Jamā'at and the League" (p. 113).

Moving into Lahore after the creation of Pakistan in 1947, the party and its leadership entered the political process within their own desired space. Henceforth, the Jamā'at Islāmī and the Muslim League both had to contend with the complexity of a multitude of sociopolitical forces, including a threat of Communist activities. Politically, the Jamā'at's activism in the 1948-1953 period anchored the constitutional debate in Islam, mobilized the *ʿulamā'* and the masses, set the terms of the debate, and defined the role of Islam in the state (p. 130-1). The party itself underwent some changes during this period: "Opposition to the state was supplanted by maneuvering within the state system, and the party's ideological proclamations and idealistic approach to politics gave way to an Islamic constitutional platform" (p. 131).

Of Particular interest in this chapter is Nasr's discussion of the Jamā'at's ambivalent stand on the status of minorities in the newly-created state of Pakistan. Although in the beginning of the anti-Aḥmadi¹ controversy,

¹ Aḥmadis are an Islamic offshoot that emerged at the turn of the twentieth century in Punjab. They follow the teaching of Mirza Ghulām Aḥmad (d. 1908), who claimed he had experienced divine revelation (Nasr 1994: 131).

Mawdūdī personally was not involved—believing that the status of minorities would be taken care of automatically once the overall framework of an Islamic constitution was determined—the dynamics of the political intrigue and rivalry in the early 1950s were such that soon the party became a full fledged participant (p. 131-4). Presently, Mawdūdī and the Jamāʿat became entangled in the ongoing agitation, leading to the publication of Mawdūdī's *Qadiyānī Mas'alah (The Ahmadi Problem)*. Mawdūdī's book was the systematic denunciation of the Ahmadis since the crisis (p. 136). Subsequently Mawdūdī was arrested in 1953, charged with sedition, and sentenced to death. He was, however, released in 1955, though his objective of anchoring the political discourse on Islamic constitution was shattered by the establishment of martial law.

Nine years into the making of Pakistan, the Constituent Assembly finally ratified the draft constitution, recognizing some token demands of the Islamic parties, i.e., "naming the state the 'Islamic Republic' of Pakistan and subjecting all legislative undertakings to the veto of the 'repugnancy clause'" (p. 143). Making a politically, if not ideologically, prudent move, Mawdūdī and the Jamāʿat quickly recognized the constitution as an "Islamic" constitution. Following an uncertain start, by the end of 1958 the Jamāʿat finally appeared to have found its place within Pakistani politics. "It found a clear-cut political platform by amending its Islamic vision to include a commitment to democracy and constitutional rights" (p. 146). With precision and patience, Nasr brings to life the political aspirations and activities of the Jamāʿat, dispelling the belief that Jamāʿat-i Islāmī is inherently anti-state, and that its founder, Mawdūdī, was uninterested in the political process of the state building and democracy. The 1964 Jamāʿat's endorsement of Fāṭima Jinnāh, the Founder's sister, against the rather tyrannical regime of Ayūb Khān is an interesting, if somewhat uncharacteristic, illustration.

Nasr's emphasis on Mawdūdī's and the Jamāʿat's commitment to the democratic processes, however, is somewhat problematic in the face of their manifest anti-democratic behavior not only toward minorities, but also toward Bhutto's downfall in 1977, and his later execution. Siding with General Zia's Coup of 1977, the Jamāʿats quickly joined the bandwagon of "retribution first, election next" (p. 190) against Bhutto, who was hanged in 1979 against an international plea for his pardon. Such political maneuvering and shifting alliances belies the Jamāʿat's claim of loyalty to the constitution and democracy. Indeed one may argue that such behavioral manifestations are more congruent with the Jamāʿat's politically motivated behavior historically. Nonetheless, Nasr's accomplishment lies in his objective treatment of the Jamāʿat's political complexity and avoiding a tendency to underestimate Jamāʿat's state—and intermittent—commitment to the democratic processes.

Nasr addresses the relationship between democracy and revivalism in the last chapter of his book. "The often-asked question," Nasr argues, should not be "What are the dangers of revivalism to democracy?" But rather, it should be "What are the dangers of democracy to revivalism?" Nasr's response is that in the course of Pakistan's development, although the Jamā'at politicized Islam, it failed to prevent others from exploiting religion for political gain (p. 220). In other words,

the Jamā'at has failed to convert revivalism as ideology into revivalism as social movement. It has failed to mobilize the masses for collective action for any sustained period of time under an Islamic banner. . . . To succeed, an Islamic revolution must effectively appeal to political sensibilities and satisfy socioeconomic demands" (pp. 221-2).

Seyyed Vali Reza Nasr's *The Vanguard of the Islamic Revolution* is an excellent resource book not only on the life of Abul 'Alā Mawdūdī and the history of Jamā'at Islāmī, but also on the dynamic relationship between forces of revivalism and democratic processes of state building. Besides being a fine scholarly piece of work, it is also extremely enjoyable to read—a rare combination. This work will remain a significant contribution to Pakistan studies and to the development of political Islam in South Asia, one that has had reverberation throughout modern Islamic world.

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BOOK REVIEWS

One God: Peoples of the Book. Edited by Edith S. Engel and Henry W. Engel. New York: Pilgrim Press, 1990. plus 146 pp.

Edith and Henry Engel, professional editors and publishing consultants whose family includes Jewish and Catholic members, are Protestants who wished to produce a "primer" that will inform people about "the monotheistic religions" by emphasizing their similarities and thus contribute to peace by nurturing objectivity and tolerance and reducing bigotry. This is intended to be a popular book for introductory use in high-schools and colleges.

The method chosen is four essays of about 20 pages each on Judaism (by Andrew S. Ackerman), Catholicism (by Robert A. Orsi), Protestantism (by Robert E. Koenig), and Islam (by Thomas M. Ricks). The latter chapter differs from the others in two ways: it is the only one written by a person who is not a member of the religious tradition being presented; and it is followed by a brief note on "Islamic Fundamentalism" by a Muslim political scientist, Khālid Bin Sayeed. Each of the chapters is followed by a personal statement by three women (a Reform rabbi, a Roman Catholic lay leader, a Presbyterian minister) and an African-American man who is a prison chaplain and a convert from the Southern Baptist Church to Islam; they discuss what their religious traditions mean to them and, in two cases, why they converted from Protestantism to Catholicism and Islam respectively.

The four main chapters, written from a liberal point of view and for the United States context, of necessity can only present brief introductions. Students who wish to have fuller expositions with more information about history, practices and beliefs will need to turn to the standard textbooks such as those by Smith, Noss, Nielsen and Sharma. Teachers who are not scholars of religion should be careful not to assume that the contributors speak authoritatively for all members of the complex traditions they describe. Orthodox Jews, for example, will not be happy with the idea that one can be a practicing religious Jew or a cultural one (9), that one can choose in good American consumer fashion which aspects of the tradition to follow (26), or that one should make a "pleasing balance" between Jewish heritage and secular principles (25). Again, the Protestantism chapter, written by a minister of the United Church of Christ, would be very different if written by a Lutheran or an Episcopalian. And Christians in various lands who trace their roots to the sixteenth century will be surprised to learn how much the Reformation was about "freedom of religion," though this is quite consistent with the view that "the unique character of Protestantism was not fully established until it migrated to the New World" (66).

Given their aim to contribute to religious understanding and peaceful coexistence, the editors have highlighted two themes which they believe point to the "commonality" of the "monotheistic religions": the "one God" and "peoples of the book." However, these themes are not in fact developed at any length in the four main chapters. Readers will not find in them a serious focus on the different understandings of scripture held by Jews, Christians and Muslims; thus, calling them by the Muslim phrase "peoples of the book" is in this context suggesting a very abstract "commonality" which simply doesn't deal with the quite different understandings of revelation involved, for example, in the Qur'ān and the Christian Bible. Nor do they discuss what effect the Qur'ān's claim to supersede and interpret Jewish and Christian scripture has on their common status as peoples of the book, or recognize the theological problems entailed in simply equating the Jewish Hebrew Bible with the Christian Old Testament (125).

Similar problems are involved in the treatment of monotheism in this context. Let pass without further comment the phrase "four major monotheistic faiths in the United States (vii), as though Roman Catholicism and Protestantism constituted two different religions, and as if Protestantism were not a highly problematic category which some of those subsumed under it would reject. Lois J. Anderson's superficial "coda" on monotheism which concludes the book shows no familiarity with the complex issues and literature of interfaith dialogue and theology. There is not even an acknowledgment that Trinitarian Christian faith, affirmed by millions of ordinary

Christians in their worship each week, is regarded as a highly problematic form of "monotheism" by both Jews and Muslims.

Much more helpful, even for beginners, is the introduction by James Carse, Professor of Religion at New York University and author, most recently, of *Breakfast at the Victory: The Mysticism of Everyday Life*. Carse asks why the three religions are separate although they each regard themselves as, in some way, children of Abraham. He rejects the idea that the three religions are partly erroneous manifestations of a "true religion" that lies behind them. He candidly states that there is "something exclusive about each of the three religions, for it is not possible to be a Jew and a Muslim, or a Muslim and a Christian" (2). But embarrassment about distinctness and exclusiveness sometimes leads people to reason that since "these religions cannot be equally true without contradicting one another, they must be equally false" (3), and therefore we may decode them and discover the truth to which they have ineptly alluded for so long. Rejecting the arrogance of this supposedly liberal attitude (perhaps most popular nowadays among followers of Jung), Carse points to the fact that, though Jews, Muslims and Christians believe their scriptures truly reveal God, they also believe in the "mysteriousness of the Divine." This leads to humility, to a focus on the difference between the human self and the vast incomprehensibility of God, not to making arrogant claims about one's own religion as true and those of others as false. From such humility, rather than superficial shortcuts to unity, is born true understanding and respect.

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The Prophet's Pulpit: Islamic Preaching in Contemporary Egypt. By Patrick D. Gaffney. Berkeley: University of California Press, 1994.

This is a wonderful book and one of the best anthropological studies on Islamic fundamentalism available today. Its author is a former student of Richard Antoun and Fazlur Rahmān and also an ordained priest, a relevant fact in that his analysis of the solidarity-bond, political-ideology, and other "functions" of Islam today vibrates with the knowledge that religion is also, always, a quest for God.

Gaffney arrived in Cairo on the eve of Sādāt's return from Jerusalem in November 1977 and did most of the research for this book during 1978-79 and 1984-85, with several follow-up visits in 1986, 1989, and 1991. His base was Minya where he attended, recorded, and studied sermons in (or from) a variety of mosques. While aware of the importance of this project, since sermons have long been one of the most under-utilized sources of information in Western Islamic studies, Gaffney did not anticipate the socio-religious ferment he would encounter in the region at the end of the seventies when several cities, including Minya, underwent cycles of turmoil spurred largely by religious militancy. His research was thus done at a critical time but before Islamic fundamentalism became the focus of large-scale academic, policy, and media attention and analysis. Indeed, one senses in some of the chapters, especially those dealing with specific sermons and preachers, the spirit of the pioneer who maps out a new landscape before too many others have designed some tidier but slicker social, economic, and political categories for the understanding of the Islamic impulse, and often from far away.

This is a book about texts and contexts and the divergences between them, that cuts across older disciplinary boundaries. Thus Gaffney's study will satisfy the (text-focused) orientalist, the comparative-religionist, the socio-linguist, the sociologist, political scientist, Islamic historian, historian of Islamic urban architecture, and most of all the anthropologist to whom this book shows the richness of his "discipline."

Several sermons emerge as "prototypes" of contemporary Islamic thinking except that the preachers who delivered them do not always fall into a neatly parallel categorization. Gaffney's

theoretical Weber-inspired approach is to separate-out the preacher-as-saint (the *walī* of Sufism), the preacher-as-scholar (the *ʿālim* of, preferably, Azharite training) and the preacher-as-warrior (the contemporary *mujaḥhid* whose *jihād* is directed both against personal and national corruption and also international domination and exploitation). In contemporary Egypt, however, the old triptych of Sufi shrine, government (*ḥukūm*) mosque, and private (*ahli*) mosque as the locus of the sermon has largely flattened out into a dichotomy of government and private mosques, and even there the Azharite and the lay preacher perform in each other's territory, sometimes even in each other's idiom. Nor are all the *ahli* mosques in and around Minya hotbeds of anti-state rhetoric; indeed, many *ahli* mosques in Egypt have actively applied for their adoption by the Ministry of Religious Endowments which comes with an infusion of state funds.

Several preachers (and their sermons) stand out as symbols of Islamic institutions within contemporary Egypt's broad, complex, and diffuse society, where their role is currently undergoing uneven changes in regard to function and authority due to multiple disjunctures in the society at large. The following paradigms emerge from Gaffney's study.

One is the theme of security (*amn*) and belief (*īmān*), peace (*salām*) and Islam (*al-islām*). The establishment *īmām* at the pseudo-Sufi shrine-mosque of al-Full in Minya, Shaykh Muḥammad, preaches a sermon in Sādāt's presence that equates national self-sufficiency with the establishment of religion in society; religion means hard work from which both individual and national security and peace will follow.

The same topics are then addressed in a sermon by the aged *jamʿiyya* preacher Shaykh ʿUmar—a retired schoolteacher and former Nasserite who has adopted the role of "warrior-sermonizer". His Qurʾān-centered universe is divided between categorical absolutes (truth vs. error, good vs. evil, indigenous vs. foreign, "us" vs. "them"). With Shaykh ʿUmar, security (*amn*) lies in defending the Qurʾān's unique semantic integrity and universal applicability against "interpretation" that is seen as "accommodation". This Shaykh's literalist reading of the Qurʾānic text thus indicates the will to apply its dictates, and that of the Sunna of the Prophet, without mediation, i.e. without passing through an intervening historical heritage. Gaffney labels this *mujaḥhid*'s ritual rhetoric as *metonymic*, which also stands for this warrior-preacher's socio-political stance in that he derives his legitimacy from being a partisan participant in the "we" of the socially marginal, for whom and to whom he speaks. In the name of God, he challenges the powerful and influential, but his call to action is an ideology presented in the guise of a plan. By evoking symbols in their purest and most abstract form, everything is drawn in terms of an absolute antithesis that reduces the argument to primordial values. Except that this fundamentalist warrior-preacher is old, not young, his ideas are derivative and often trite, and he has no power to act on any of them as his authority is limited to sermonizing.

By contrast, an Azhar-trained *ʿālim*'s oratory style is labeled *metaphoric* in that this preacher sees his primary role as an institutionally defined mediator/culture broker between God's law and its mundane application, and the main purpose of his sermon as a rational analysis of the similarities between them both. Gaffney's example, the young and highly respected Azhar graduate Shaykh Muṣṭafa, a teacher of Arabic at a local Coptic school, emerges in his sermon as the embodiment of the classical tradition when he presents the *sharʿ* as the only legitimate expression of the revealed imperatives for modern daily life, and himself in impersonal, almost abstract, terms as identical with the institutions and values presented by his speech. Except that he is now a teacher of Arabic at a Coptic school and so, in the mosque, functions as a lay preacher.

A third figure, Shaykh Uthmān, presents a yet different combination of background and message. Hailing from a prominent local fundamentalist family (his father joined the Muslim Brotherhood in the 1930s and was repeatedly imprisoned, as was Shaykh Uthmān himself for a few months in his youth), he has now built an idiosyncratic persona and authority basis for himself. Educated in secular schools, then working as a teacher of English and now as Public Relations Director of the provincial office of the Ministry of Education, Shaykh Uthmān followed his father as head of a fundamentalist *jamʿiyya* where he is the regular weekly preacher. But in his sermons, in a *metaphoric* mode that however differs from that of the Azharite, he advocates tolerance and the acceptability of communal differences. He preaches that the Qurʾān's moral principles require responsible adaptation, but in defining the "proper interpretation" no

group is superior to any other nor justified in claiming exclusive possession of truth and authority. Instead of the defensive/aggressive dualist worldview of the "warrior-preacher", this modernist preacher emphasizes civility, personal responsibility, and reason. Highest arbiter of right or wrong is not the professional lawyer-theologian of Azhari training nor the fundamentalist as Qur'anic warrior, but it is the Muslim community grounded in reason and faith, whose members must assume individual personal responsibility for the integration of the call of God into the modern world. Except that this modernist message is delivered in a *jāmiyya* mosque.

These sermons and their preachers as well as the types of mosques in question, then, undo some of the stereotypes on ideological Islamic groupings in Egypt and elsewhere now widely accepted in the West. Among them is the notion that all government mosques are staffed by obedient Azhar-trained civil servants while all private mosques, such as those of the *jāmiyyas*, are hotbeds of dissent; or that all amateur preachers are fundamentalists; or that all fundamentalists are young activists bent on revolution. Indeed, Gaffney shows that the traditional barriers that institutionally divided the "scholar-preacher" from the "warrior-preacher" are eroding. The fact that the Egyptian state is validating many lay preachers' credentials through quasi-official recognition could signal government intention to gain control over the *jāmiyyas*. According to Gaffney, it could also signal official government recognition of the *jāmiyyas* as agencies of religious and moral influence, and thus bring about direct communication ("from the bottom up") between government preachers and those of the *jāmiyyas* in their new role as a new "clergy." Is this the "Reformation" that some Western scholars of Islam have predicted since the days of Muḥammad Abduh? Gaffney's positive reading on the shifts in Islamic institutions in contemporary Egypt adds to the work's value, here as antidote to more prevalent, often largely security-focused Western views on Islamic fundamentalism.

The sermons are on the whole incorporated as passages into the book chapters for contextual analysis. Three longer sermons are quoted in full in an appendix (pp. 271-36). The translations are lively, especially in the case of Shaykh Uthmān's sermon on "security" and "faith" where the preacher's code-switching style between standard Arabic and Egyptian dialect is successfully rendered in English (pp. 174-6).

The transliteration of Arabic terms, on the other hand, is in a sorry state. This may partly be due to the ambitious system adopted which uses matrons as well as subscript dots (as in the *International Journal of Middle Eastern Studies*, cf. p. 11), which creates enormous problems for the typesetter and proofreader. Nevertheless, when the job is too big to be done right and the mistakes are overcrowding, a consistently followed simplified system would have been better. Some names and terms are also plainly wrong; to give a few examples: the traditionist Bukhārī (not Bukhayrī, pp. 223, 283); the caliph 'Umar ibn al-Khaṭṭāb (not al-Khutab, pp. 215, 234, 308); "nations" is *umam* (not *ummum*, p. 278); the blessing on the Prophet is *ṣallī ʾllāhu ʿalayhi wa-ṣallam* (not *ṣallī ʾllāh ʿalayhi wa-ṣalim*, p. 189); "your religion and mine" is *ʿagīdatukum wa-ʿagīdati* (not *wa-ʿagīdatuni*, p. 315). In addition, there are a few factual errors. The Prophet Muḥammad died two years after his conquest of Mecca, not three months (pp. 19, 20). The (Ottoman) caliphate was abolished in 1924, not 1926 (p. 123). The Wahhābīs opposed rituals of "saint worship" at the Prophet's tomb in Medina in the 19th century and still do, but they did not smash it (pp. 59-60).

But these are small imperfections in an otherwise sterling book that through a master formula of joining minute interpretation with grander socio-political analysis fulfills its promise as a profound study of texts and contexts and the divergences between the two.

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Rebel and Saint: Muslim Notables. Populist Protest. Colonial Encounters (Algeria and Tunisia 1800-1904). By Julia A. Clancy-Smith (Berkeley, Los Angeles and London: University of California Press, 1994). xxiii plus 370 pp. with notes, bibliography and index. \$45.00.

In this book, Julia Clancy-Smith undertakes an "archaeological dig" to uncover the "subterranean sociocultural universes" (pp. 254, 4) which facilitated or impeded resistance to or apparent accommodation with French domination of 19th and early 20th century Algeria and Tunisia. Based on primary materials in English, French and Arabic housed in ten archives or libraries on three continents, *Rebel and Saint* constitutes the principal harvest of some two decades of research. Mercifully free of Marxist categories, this subtle and gracefully written volume is an example of social history of a very high order. It recreates the *mentalité* of indigenous society in the central Maghreb during the first three generations of major, generalized contact with European civilization, and gives particular attention to the complicated role which Sufi brotherhoods played in both stimulating collective protest against European control and fostering preservation of Muslim history and culture after colonial rule had been firmly established. Those who have read portions of Clancy-Smith's research in *Africana Journal* and elsewhere will be especially pleased to see all of the pieces brought together in this important study.

This volume is a consciously revisionist effort to change the way we think (p. 1) about North African history. For example, Clancy-Smith calls for a reperiodization of Algerian history to recognize that the rebellion of 1849 led by Bu Ziyān and based in Za'atsha, a few miles southwest of Biskra, rather than that led by Muqrānī in the Kabylia in 1870-71, constituted the moment when colonial-indigenous relations entered a fundamentally new era. Perhaps more importantly, the author challenges the canon of French colonial historiography which identifies the Raḥmaniyya and other Sufi *ṭuruqas* "resolutely opposed to Algeria's French masters" (p. 5). On the contrary, Clancy-Smith maintains that Raḥmaniyya and other religious notables were in fact "risk avoiders rather than last-ditch resisters" (p. 5) who as frequently opted for such forms of "avoidance protest" as "bet hedging migration [and] withdrawal" (p. 4) as they did for direct confrontation. Even in times of open revolt, the author argues that Sufi leaders commonly made implicit pacts with French authorities which alone permitted the preservation of Muslim culture. Always, avoidance protest sought to "create a space where the impact of asymmetrical power could be attenuated" (p. 4). Above all, the author attempts to debunk the "myth" that "Muslim notables... were invariably the causative agents in anticolonial resistance" until 1871, only to become "compliant collaborators" thereafter (p. 5). In this last regard, her fascinating account of the activities at century's end of Shaykh Muḥammad b. Abī al-Qāsim and his daughter Lalla Zaynab should be considered required reading by anyone seriously interested in North African history.

Of open revolt, of course, there was an abundance in the 19th century Maghreb. In addition to the uprising of Bu Ziyān, Clancy-Smith examines that led by Muḥammad b. 'Abd Allāh for some 15 years after mid century, originally from his remote Saharan citadel of Warqala. Her analysis of how the spectacularly bloody French destruction of Za'atsha opened a new era of bet hedging on the one hand and enhanced receptivity to such mahdist pretenders as 'Abd Allāh on the other is a significant contribution to knowledge. The same can be said of her revelation of the role played by Muṣṭafā b. 'Azzuz in Nafta in Tunisia, a few miles east of the Algerian frontier, in providing guns, provisions, moral support and (when necessary) refuge to assorted rebels in eastern Algeria. Indeed, for the author the very notion of frontiers is an impediment to proper understanding of 19th century North Africa, given the constant movement of religious notables, pilgrims and merchants across porous national borders. In fact, she argues that the concept of nation-state should itself be downgraded as a standard category of historical analysis. Despite a gross imbalance in the surviving documentation between that composed by the conquerors and the colonized, the author succeeds through unusually imaginative historical reconstruction in teasing from fragmentary indigenous sources enough information to convincingly tell her story from the perspective of the Muslim population of North Africa.

Clancy-Smith's analysis of the importance of rumor is one salient example of her imaginative explication of how Muslim society actually functioned. Rumors, she argues, should be under-

stood as "verbal graffiti" constituting "statements about power" by the illiterate (p. 100). Specifically, rumors are evidence of the "power of words, information and communication to affect . . . behavior" (p. 100). Political rumors in North Africa represented "ideological statements about what ordinary people [thought] the normative should be," and often proved akin to "verbal revolutionary tracts" (p. 100). In short, rumors provided an unusual glimpse into popular *mentalités* and especially into perceptions of the mahdi as an eschatological savior. The author discusses how rumors concerning a putative weakening of French determination to remain in Algeria, Ottoman naval movements, settler unrest in Algiers, and the mahdi's advent all combined to encourage revolt in and after 1849. France was well aware of the incendiary potential of unfettered rumors, she notes, and did its best through espionage and curbs on population movement to monitor and contain them.

Few readers will easily forget Clancy-Smith's dramatic description of the final hours of Bu Ziyan and the demolition of his capital:

By 26 November 1849 the end was in sight. . . . The relentless [French] artillery had carved gaping breaches in Za'atsha's walls, and soon soldiers poured into the narrow debris-strewn alleys and garden pathways. Bu Ziyan convened his followers in the town mosque. After leading them in prayer, he enjoined the few survivors to fight to the death. Later that day, French troops trapped the mahdi, together with his family—two young sons, a daughter, his wife, and mother—in the abandoned residence of the French-appointed qaid. The mahdi emerged from the house brandishing a rifle. 'I am Bu Ziyan,' he calmly stated to the officers as he knelt down to pray. After being forced to witness his family's massacre, the rebellious prophet was placed against a wall, the order given to prepare arms. 'You were the strongest; God alone is great; may His will be done' were his last words. Shots rang out and the hero of Za'atsha fell to the ground. Bu Ziyan's head was offered as a prize of war to General Herbillon, who had it displayed on the gatepost for all to see. Throughout the remainder of the day, the silence was broken only by the sound of explosions as soldiers detonated gunpowder caches underneath the few houses still standing. . . . Some ten thousand date palms—the very basis of the economy—were systematically cut down. . . . In the words of one contemporary witness, Za'atsha constituted a monument 'des horreurs qui n'avaient pas de nom' (pp. 116-17).

The great irony of the Bu Ziyan uprising and those to follow, Clancy-Smith emphasizes, is that they "undermined the sociopolitical and religious order they sought so mightily to defend" (p. 258). After 1849, the French consciously strove to create a transdesert empire, a path "inadvertently carved out" by figures such as Bu Ziyan and Mustafa b. 'Azzuz (p. 258). Tunisia's fate was sealed long before 1881, the author observes, France having become convinced that Tunisia had to be added to France's African holdings to guarantee Algerian security.

During the second half of the 19th century, the politics of Algerian religious notables, Clancy-Smith suggests, came to be increasingly characterized by the sort of avoidance protest and cultural preservation perfected by Muḥammad b. Ali al-Qāsim of al-Hamil and his daughter Lalla Zaynab. Under their successive administrations, the wealthy *sawīya* of al-Hamil on the border of the Sahara became a major pilgrimage center with a substantial library and an instructional program which included such subjects as chemistry, mathematics and astronomy as well as courses on the Qur'ān, *ḥadīth* and *fiqh*. The author shows how Shaykh Muḥammad and his daughter consistently foiled French attempts to penetrate and vitiate Islamic culture, and how father and daughter succeeded in neutralizing all threats to their carefully articulated program of cultural preservation. Lalla Zaynab in particular was an individual of extraordinary intellectual and administrative ability. Her successful struggle to succeed her father, conflicts with the French and spiritual mentorship of the European eccentric Isabelle Eberhardt are all important to have on the historical record.

After some hesitation, this reviewer has decided to set modesty aside and identify what he regards as one notable omission from the author's otherwise comprehensive bibliography. Nowhere does Clancy-Smith cite his own *Thomas-Robert Bugeaud. France and Algeria. 1784-1849. Politics, Power and the Good Society* (Hamden, Connecticut: The Shoe String Press [Archon

Books] 1983). Although parts of this study of Bugeaud deal with France rather than Algeria, major portions of it relate directly to arguments in *Rebel and Saint*. Perhaps this omission is simply a case of one lost index card.

Rebel and Saint should be considered a required purchase by all research libraries, as well as by all scholars professionally involved in North African studies. In whole or in part, it is ideal for assignment in a variety of courses dealing with the Third World, comparative and colonial history, and Islamic studies. For this excellent work, all serious students of the modern Muslim world can be grateful.

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